



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, FEBRUARY 20, 2018
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME . .By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.



In compliance with the American with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Assistance listening devices are now available for the hearing impaired. Please see the City Clerk for a receiver.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2018/0220.01 - **Public Employee Performance Evaluation**
Title: City Manager (Pursuant to Gov't Code §54957)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENUE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council embers if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS"

- 1) 2018/0220.02 - Approve Minutes of the February 6, 2018 Regular Meeting **(ACTION)** 1
- 2) 2018/0220.03 - Approve Resolution No. 1376-2018 Amending the Operating Budget for FY 2017-18 for Emergency Culvert Repairs on Edwards Dr. **(ACTION)** 16
- 3) 2018/0220.04 - Approve Resolution No. 1377-2018 Amending the Master Fee Schedule to Reflect Passage of AB 1379 **(ACTION)** 19
- 4) 2018/0220.05 - Receive and File Check Register for January 2018 **(ACTION)** 24

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. SPECIAL PRESENTATIONS/STUDY SESSIONS

N. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2018/0220.06 - Approve Budget Calendar for FY 2018/19 **(DISCUSSION/POSSIBLE ACTION)** 29
- 2) 2018/0220.07 - Public Works Projects and Related Requests for Proposals (RFP's) **(DISCUSSION/POSSIBLE ACTION)** 32

- 3) 2018/0220.08 - Review Application for Measure Z Funding and Direct City Manager to Submit Application **(DISCUSSION/POSSIBLE ACTION)** 33

O. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2018/0220.09 - Second Reading (by title only) and Adoption of Ordinance No. 364-2018 Amending the City's Medical Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the Reference to Medical or Medicinal Cannabis and to include some new definitions and other minor changes consistent with new State Regulations **(DISCUSSION/POSSIBLE ACTION)** 50
- 2) 2018/0220.10 - Second Reading (by title only) and Adoption of Ordinance No. 362-2018 Amending the Sign Regulations, Section 17.30.300, repealing Outdoor Advertising Regulations Section 17.30.210 of the Rio Dell Municipal Code **(DISCUSSION/POSSIBLE ACTION)** 87

P. REPORTS/STAFF COMMUNICATIONS

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, March 6, 2018 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING
FEBRUARY 6, 2018
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 5:00 p.m. by Mayor Wilson.

ROLL CALL: Present: (Closed Session) Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks, Strahan and City Attorney Gans

 Present: (Regular Meeting) Mayor Wilson, Mayor Pro Tem Johnson, Councilmember Garnes, Marks and Strahan

 Others Present: Chief of Police Conner, Community Development Director Caldwell, Finance Director Woodcox, City Attorney Gans and City Clerk Dunham

 Absent: City Manager Knopp, Water/Roadways Superintendent Jensen and Wastewater Superintendent Trainee Purvis

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS

Public Employee Performance Evaluation – Title: City Manager (Pursuant to §54957)
The Council recessed into closed session at 5:00 p.m. to discuss the above matter.

The Council reconvened into open session at 6:30 p.m.

Mayor Wilson announced there was no reportable action taken in closed session.

CEREMONIAL MATTERS

Proclamation in Recognition of Engineers Week

Mayor Wilson read the proclamation in recognition of Engineer's Week February 18-24 and presented it to Rebecca Crow, the City's Engineer from GHD Engineering.

PUBLIC PRESENTATIONS

Melissa Marks addressed the Council on behalf of the Rio Dell-Scotia Chamber of Commerce and asked for the Council's approval for the Chamber volunteers to remove the Christmas lights from the trees at Memorial Park. She also asked for financial assistance from the City for rental of a lift.

Council directed staff to work with the Chamber to assist with the request.

CONSENT CALENDAR

Councilmember Strahan and Finance Director Woodcox requested item (3) be removed from the consent calendar for separate discussion.

Motion was made by Johnson/Garnes to approve the remaining consent calendar items 1, 2, 4, 5 and 6. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approval Final Pay Request No. 5 in the Amount of \$41,105.32 to DCI Builders for Work Related to the CDBG Architectural Barrier Removal Project

Councilmember Strahan said she removed the item from the consent calendar because the calculations were not correct.

Finance Director Woodcox explained that she identified the error and prepared a supplemental staff report (attachment 1 to these minutes) to reflect the correct amount, which was \$39,885.56 rather than \$41,105.32 as originally submitted.

Motion was made by Strahan/Garnes to approve the final pay request to DCI Builders as revised. Motion carried 5-0

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation – GHD Engineering – Update on City Projects

Rebecca Crow provided a City Engineer's Update on projects in the City including a brief overview of the following projects:

- Rio Dell Safety Improvement and Community Outreach Project
- Next Round of Active Transportation Program Funding
- Minor Drainage Improvement Projects
- Wastewater System Backwash Line Rerouting
- Sewer Line Upsizing Evaluation
- Sanitary Sewer Evaluation Study (SSES)
- Metropolitan Wells Project
- Drinking Water SRF Planning Project

Related to the Rio Dell Safety Improvement and Community Outreach Project, the Council had questions regarding the construction schedule.

Rebecca indicated that construction would occur in 2019 and estimated it would take two months to complete the project. She said she would follow up with the City Manager with a more precise construction schedule.

FEBRUARY 6, 2018 MINUTES
Page 3

She reported that she was working with the City Manager to put together a connectivity map of the City as part of the next Active Transportation Program funding cycle and noted that there will be a series of community workshops to review potential projects.

Next was discussion of the Metropolitan Wells Project. It was reported that all major construction is complete with an estimated \$43,744 remaining in the budget. She said the remaining funds would be applied toward the purchase of a generator estimated at \$90,000 with the City's contribution of \$46,256. She pointed out that the City's total investment aside from grant dollars is only 5.4%, which is remarkable for a project such as this. She also pointed out that the City would not have received the grant funding without implementation of the last water rate increase.

Mayor Wilson questioned the size of the generator and whether it would be portable or stationary.

Rebecca responded that the generator would be on a trailer so it would be portable but she wasn't sure about the size except that it would be big enough to power the wells. She agreed to follow up on the specs and report back to staff.

Councilmember Strahan asked for a breakdown of the \$85,972 in estimated remaining costs.

Rebecca said she would provide a detailed accounting of the remaining costs.

Finance Director Woodcox noted that approximately \$66,000 is the contractor's retainer, \$4,200 is for construction management and there are other miscellaneous expenditures.

Rebecca then reported that the City received the final State Water Resources Control Board Grant in the amount of \$433,300. She said the scope of work includes an evaluation of the Painter Street tank, the Redwood Douglas St. tank, distribution system piping, SCADA improvements, and CEQA permitting and design.

Mayor Wilson asked if the idea is to have the planning and engineering done and be shovel-ready should additional grant funding become available; Rebecca confirmed that to be correct.

Mayor Wilson also asked if a portion of water rate revenue is set aside for future grant match purposes.

Finance Director Woodcox explained that water revenues are being distributed specifically as determined during the water rate study.

Mayor Wilson asked for a breakdown of the water reserve fund with the next budget report.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduction/First Reading (by title only) of Ordinance No. 364-2018 Amending the City's Medical Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the Reference to Medical or Medicinal Cannabis and to Include Some New Definitions and Other Minor Changes Consistent With New State Regulations

Community Development Director Caldwell provided a staff report and said the Planning Commission and the City Council met at a study session on January 23, 2018 to discuss possible changes to the City's commercial cannabis regulations. After a lengthy discussion, staff was directed to incorporate a preamble in the Ordinance regarding the City's desire to foster medicinal cannabis research and development, to incorporate definitions of the various State licensing types, and to require that all operators/licensees hold a Medical "M" State license.

He distributed supplemental information to Council regarding recommended revised language under Section 17.30.195(7) (m) related to the Medical "M" license requirement (attachment 2 to these minutes). He said the language was crafted by the City Attorney and doesn't change the requirement but makes it much clearer. He noted that the revised language was incorporated into the draft ordinance.

Mayor Wilson commented that he clarified through the Bureau of Cannabis Control (BCC) that persons possessing a State testing laboratory license are not required to hold both a type "A" and "M" license.

He stated that after three (3) hours of discussion at the January 23, 2018 study session, in the end what came out of that was an ordinance that was supported by everyone concerned. He said it was a good compromise and he supports the Planning Commission's recommendation to adopt the draft ordinance with the revisions as proposed.

Councilmember Garnes said she appreciated the collaborative effort put forth by staff and the Planning Commission to create the ordinance.

Mayor Wilson called for public comment on the proposed ordinance.

Shannon McWhorter stated that he and other investors own a 3-acre parcel at the Humboldt Rio Dell Business Park and they are working on a project that is quite an investment. He pointed out that the sooner the ordinance is approved the sooner they can get shovels in the ground. He expressed the urgency of getting things going before taxes go somewhere else.

Glen Broder agreed with Shannon McWhorter and pointed out that he really likes Rio Dell but other areas of the State are getting very aggressive with their approach to try to get them to relocate elsewhere. He commented that he likes the SICPA Track and Trace Program although it is somewhat cumbersome.

FEBRUARY 6, 2018 MINUTES
Page 5

Councilmember Strahan stated that she is against marijuana and has been from the very start. She added that she is also surprised that certain people are in favor of it here but against it in their own city. She said the Council was in support of only allowing medical type licenses from the beginning and doesn't see why that has to change.

Motion was made by Johnson/Garnes to introduce and conduct first reading (by title only) of Ordinance No. 364-2019 *Amending the City's Medical Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code (RDMC) to Eliminate the Reference to Medical or Medicinal Cannabis and to Include Some New Definitions and Other Minor Changes Consistent with New State Regulations.* Motion carried 4-1; Councilmember Strahan dissenting.

Mayor Wilson explained to members of the public that the second reading and adoption of the ordinance would take place at the February 20, 2018 regular meeting and the ordinance becomes effective 30 days from that date.

He commented that this has been a big step for him to vote the way he did and he heard that there were comments regarding his demeanor at the last meeting regarding a statement he made about not being afraid to be the bad guy. He said that was interpreted by some people that he was going to vote "No" on the ordinance. He clarified that what he meant by that statement is that he is willing to see this go through even though he is opposed to recreational marijuana. He said he believes passionately enough in the medical concept that if anything is going to change the City it will be to have full on medical research and treatment. He pointed out that it will be a challenge for the stakeholders to make it work with the recent drop in cannabis prices, referring to what is happening in Oregon.

He added that what he wants people to think of when they hear the name "Rio Dell" is "Medical Cannabis." He said there is validity in medical cannabis treatment and he is sincere when he says that he wants the City to be a viable medical cannabis community. He said it would take support of the city council, staff and the community to make that happen.

Introduction/First Reading (by title only) of Ordinance No. 365-2018 Amending Chapter 5.10 of Title 5 of the Rio Dell Municipal Code Pertaining to Cannabis Taxation

City Attorney Gans provided a staff report and clarified that the City's Cannabis Taxation Ordinance is separate and distinct from the Cannabis Land Use Ordinance. He said at the January 23, 2018 study session the City Council suggested staff come back with proposed language incentivizing those persons engaged in commercial medicinal cannabis activities by allowing a reduced tax rate. He explained that any imposition of an increase in tax revenue requires voter approval however; the tax can be reduced. He said the tax amount is a total discretionary issue for the Council.

He pointed out that drafting the language is somewhat premature as any ordinance; especially a land use or taxation ordinance as it isn't really tested until it is implemented. As such, it is difficult for the Council to make a decision as to what extent this ordinance amendment will

FEBRUARY 6, 2018 MINUTES
Page 6

actually incentivize commercial cannabis activities in the business park. He said no one knows the economics of it yet so with that said, if the Council wants to create some incentive at the offset, they can do so and this language will effectuate that.

Discussion continued regarding other restrictions of the tax ordinance.

Mayor Pro Tem Johnson expressed support for incentivizing medicinal cannabis activities and said he would like to hear from the stakeholders.

Glen Broder addressed the issue and said taxation is a big issue, referring to the 25% tax that is being proposed at the State level, which is passed onto the patient. He said that perhaps the incentive should be based on the amount of money that is invested toward the medical side of the business. He said the Council needs to figure out a way to incentivize the business where it isn't tacked onto the patient; that is where the balance needs to focus. He said the 25% State tax is unfair to the patient and perpetuates the black market. If the goal really is to protect the patient, the black market needs to be shut down because that is where the products that can't pass the tests because of unsafe pesticides will end up. He said he would rather see the benefit go to the patient and expressed the need to find a balance that is fair for everyone.

Mayor Wilson noted that there is a lot to work out with regard to medical cannabis including the problems associated with patients being able to get medical insurance coverage for medical cannabis because of the federal government. He agreed that something does have to start happening at the business park because staff is spending a lot of time on this issue.

Glen Broder commented that the word about Adult "A" cannabis would get out and change the climate so things will get started.

Councilmember Strahan pointed out that the whole idea of allowing cannabis activities in the City was to bring in revenue.

Discussion continued regarding the amount of revenue received to date on cannabis related activities and staff related costs.

Community Development Director Caldwell estimated an amount less than \$10,000 and noted that more staff time has been spent on crafting the regulations than on the review of the applications and processing permits. He noted that the application fees cover his time for preparing staff reports and taking the applications to the Planning Commission.

Mayor Wilson asked for a realistic date for development to begin at the business park.

Shannon McWhorter said depending on the design work and engineering he hopes to begin construction this year. He commented that he has been waiting for the City Council to make a decision on the ordinance and expects to have plans to the City sometime in May or June. He

FEBRUARY 6, 2018 MINUTES
Page 7

added that the big issue is extension of the water line noting that PG&E won't be a problem as there is already power nearby.

Community Development Director Caldwell said he spoke to Glen White and he indicated he would be ready to submit construction plans possibly on Friday or Monday. In addition, Greenheart Enterprises expected to submit their plans by Friday.

Mayor Wilson asked when the tax period starts.

Community Development Director Caldwell explained the tax would start once cultivation and processing begins. He said that although it would have to be worked out, the ordinance could allow for the submittal of estimated taxes on a quarterly basis.

Mayor Wilson asked the stakeholders present if holding off on adoption of the tax ordinance for a month or so would impede them from moving forward with their projects or if they need the City to provide an incentive beforehand.

Stakeholders present were not concerned with delaying adoption of the ordinance and were not particularly concerned with the tax rate as adopted.

Jesse Jeffries thought that it would be premature to lower the medical tax rate now.

Mayor Wilson said he would like to wait for actual construction to begin before implementing the tax ordinance to avoid the possibility of having to amend it a second time.

Councilmember Marks pointed out that the City already has a tax rate in place.

Councilmember Strahan commented that the developers need to know what they are going to be charged and as they indicated the proposed reduction is minimal so they are fine with the tax the way it is.

Mayor Pro Tem was in favor of moving forward with the ordinance as proposed.

Motion was made by Garnes/Marks to table any action on the Cannabis Taxation Ordinance at this time.

City Attorney Gans said it is inevitable that when the tax ordinance ultimately is implemented there will be some modifications and amendments related to collections and assessment of the taxes so it is likely the ordinance will need to be revisited. He pointed out that the City is not going to collect any taxes in the next 6 months anyway.

Motion then carried 4-1; Mayor Pro Tem Johnson dissenting.

City Attorney Gans left the meeting at this time, 7:30 p.m.

Introduction/First Reading (by title only) of Ordinance No. 362-2018 Amending the Sign Regulations, Section 17.30.300, Repealing Outdoor Advertising Regulations Section 17.30.210 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report and said the Planning Commission considered the proposed amendments to the sign regulations at their meeting of January 23, 2018. Based on comments from the owner of Humboldt Gables Motel, the Commission is recommending that businesses in the commercial zones be allowed two signs rather than one. He said staff agrees with the recommendation, especially if they are located on a corner lot such as the motel.

He reviewed other amendments to the sign regulations including provisions for illuminated signs, regulations for menu/order board signs, election/ballot measure signs, awning signs, blade/bracket signs, monument and reader board signs, time and temperature signs, banner/feather signs and billboard signs. He noted that the Planning Commission and staff believe that what is being proposed are comprehensive regulations that will ultimately benefit the businesses in the city. He said that staff is also recommending the elimination of Section 17.30.210, Outdoor Advertising (billboards) because the proposed regulations have been expanded to include billboards.

Mayor Pro Tem Johnson asked if Mr. Thompson's requested amendment for Humboldt Gables Motel was incorporated in the proposed ordinance.

Community Development Director Caldwell referred to the table on page 114 of the staff report related to sign standards for parcels located in the Community Commercial zone showing 2 building signs per business. He stated for clarification that the two (2) signs couldn't exceed the total square footage that was previously allowed for one (1) sign.

Councilmember Strahan questioned the previous issues with the size of signs in the Town Center.

Community Development Director Caldwell commented there are a number of signs in the Town Center zone that exceed 75 square feet. In the newly proposed regulations the maximum size for building signs is 100 square feet; 50 square feet for freestanding pylon signs, and 150 square feet for integrated development signs such as in the Humboldt Rio Dell Business Park. He explained there is a mechanism in the ordinance that allows for exceptions if deemed appropriate.

Councilmember Strahan referred to the table on page 114 of the staff report and questioned the maximum size of 300 square feet for freestanding signs in the Community Commercial and Industrial Commercial zones.

Community Development Director Caldwell explained that it refers to developments similar to Strong's Creek Plaza in Fortuna and would apply to the Humboldt Rio Dell Business Park and the Todd property.

Councilmember Garnes asked if the two (2) signs allowed for businesses in the Community Commercial (Humboldt Gables Motel) can be illuminated and if it only applies to corner lots.

Community Development Director Caldwell noted that the signs can be illuminated and the parcel does not have to be a corner lot.

Mayor Wilson opened the public hearing to receive public comment on the proposed amendments.

Cheryl Short addressed the Council regarding information signs near the Wildwood/Eeloa Ave. off ramp and said the downtown businesses are losing money because vehicles are exiting off the freeway from the south then going right back on the freeway because there are no signs to direct them to services.

Community Development Director Caldwell explained the "Gas, Food, Lodging" freeway signs are State signs and are expensive to have installed.

Cheryl commented that she was thinking more like the sign going into Scotia advertising local businesses.

There being no further public comment, the public hearing closed.

Motion was made by Johnson/Garnes to accept the introduction and first reading (by title only) of Ordinance No. 362-2018 Amending the Sign Regulations, Section 17.30.300, Repealing Outdoor Advertising Regulations, Section 17.30.210 of the Rio Dell Municipal Code (RDMC). Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

Community Development Director Caldwell reported on recent activities and events and reiterated that Greenheart Enterprises as well as the Glen White Group are expected to submit construction plans by the end of the week. He noted that Glen White's plans will be sent out to a third party plan check firm (Inter-West Consulting) to review as well as Abe Fockaert's plans for his proposed 4-plex. He reported that A.F. Builders (Abe Fockaert) also submitted plans for a single family residence on the last parcel in the Hilda Ct. Subdivision; said he drove to Ukiah to attend a Bureau of Cannabis Control (BCC) Workshop this morning to discover that it was cancelled; said included in the Council packet was the Annual Building Activity Report prepared by the City Clerk which shows \$35,623 in building permit revenue for the year noting staff anticipates an increase in revenue the next year; and said he sent out letters to the property owners of existing cargo/shipping containers since only four (4) property owners have obtained building permits.

Mayor Wilson questioned the process for those owners with cargo containers that are out of compliance.

FEBRUARY 6, 2018 MINUTES
Page 10

Community Development Director Caldwell noted that it basically becomes a code enforcement issue and that staff will be scheduling a Nuisance Committee meeting so it can be discussed at that time.

Finance Director Woodcox reported on recent activities in the finance department and said the mid-year financial report was provided in the Council packet noting that water sales were higher than ever at 56% of anticipated revenue and sewer revenue at 52%. She also reported that she will miss the next City Council meeting as she will be attending the Annual California Society of Municipal Finance Officers (CSFMO) conference in Riverside, and that she will be starting the new budget process soon.

Mayor Wilson commented that the Council had a lot on their plate during the last budget cycle and hopes to be taking a harder look at the budget this year.

Finance Director Woodcox said she would develop a budget calendar and bring it back at the next meeting for Council's consideration.

Councilmember Strahan commented that she has a million questions about the current budget.

Chief of Police Conner reported on recent activities and events in the police department and said that since the last meeting on January 16th they received 107 calls for service, made 25 reports and 5 arrests. He noted the most noteworthy was the abduction of a baby taken from its mothers arms; within 5 hours, the baby was safely returned to her. He also reported on the police officer recruitment process, said seven (7) applicants were interviewed on January 31st, and the top three (3) candidates are in the process of background checks.

Mayor Wilson commented that he talked to someone in the Humboldt County Code Enforcement Department and Chief Conner was referred to as the "Master" of Code Enforcement.

ADJOURNMENT

Motion was made by Johnson/Marks to adjourn the meeting at 7:50 p.m. to the February 20, 2018 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: kknopp@cityofriodell.ca.gov

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
February 6, 2018**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager
FROM: Brooke Woodcox, Finance Director *BW*
DATE: February 6, 2018
SUBJECT: CDBG Architectural Barrier Removal Final Pay Request #5 – DCI Builders

Recommendation

Approve Pay Request #5

Background and discussion

The City Council approved construction at City Hall for architectural barrier removal (ABR) on June 6, 2017. Construction for the project began September 18, 2017 and is complete, besides a few minor alterations that DCI will complete when weather allows and prior to July 1, 2018. Pay request #5 totals ~~\$41,105.32~~ \$39,885.56 (~~\$12,197.50~~ \$10,977.75 plus \$28,907.82 10% retention). The project is funded through CDBG program income General Fund monies. Pay request #5 is the final pay request.

ATTACHMENT 1

DCI BUILDERS
118 PORT KENYON ROAD
FERNDALE, CA 95536
(707) 786-5450 Fax (707) 786-4566

CUSTOMER #: CORD
INVOICE #: 68480 REV
INVOICE DATE: 01/25/18
DUE DATE: 01/31/18

BILL TO:

CITY OF RIO DELL
 675 WILDWOOD AVENUE
 RIO DELL, CA 95562

JOB: 17260

CITY OF RIO DELL
 ARCHITECTURAL BARRIER
 REMOVAL IMPROVEMENTS
 RIO DELL, CA 95562

CODE	DESCRIPTION	CURRENT CONTRACT	PREVIOUS BILLED	PREV %	% COMPL	CURRENT BILLING
00	Contract	296,785.00	283,512.50	95.5	100.0	13,272.50
	TOTALS:	296,785.00	283,512.50	95.5	100.0	13,272.50
C001	REMOVE DECORATIVE	-7,000.00	-7,000.00	100.0	100.0	
C002	REMOVE ROT	553.17	553.17	100.0	100.0	
C003	PHONE WIRES CUT	-185.00	-185.00	100.0	100.0	
C004	LANDSCAPING CREDIT	-1,075.00			100.0	-1,075.00
	CHANGE ORDER TOTALS:	-7,706.83	-6,631.83	86.1	100.0	-1,075.00

SUBTOTAL: 12,197.50
LESS RETENTION: ~~1,327.25~~
 <1,219.75>
NET DUE: 12,197.50 - 10,870.25
 + Retention 28,907.81
 39,885.56

Thank you! We appreciate your business!

6525-14-000-0000-9023

BAL. DUE: \$ 10,977.15
 RETENTION: 28,907.81

DUE \$ 39,885.56



17260 ~ City of Rio Dell- ADA Barrier Removal Project at City Hall

Application No: 5 & FINAL
Application Date: 01/25/18
Period To: 01/31/18
Contract/SOV Date: 08/03/17

Schedule of Work Completed

Description of Work	Scheduled Value	From Previous Application	This Period	Materials Presently Stored(not in D or E)	Total Completed & Stored to Date (D+E+F)	% Complete (G/G)	Balance To Finish (C-G)	10% Retention
General Requirements/mobilization	9,375.00	8,437.50	937.50		9,375.00	100.00%	0.00	937.50
Demolition/disposal	18,700.00	18,700.00			18,700.00	100.00%	0.00	1,870.00
Site prep/layout	1,750.00	1,750.00			1,750.00	100.00%	0.00	175.00
Footing excavation	3,900.00	3,900.00			3,900.00	100.00%	0.00	390.00
Parking/stripping/signage	2,460.00		2,460.00		2,460.00	100.00%	0.00	246.00
Fill material	16,100.00	16,100.00			16,100.00	100.00%	0.00	1,610.00
Landscaping	1,075.00	1,075.00			1,075.00	100.00%	0.00	107.50
Concrete- forming	54,050.00	54,050.00			54,050.00	100.00%	0.00	5,405.00
Concrete- strip forms	7,950.00	7,950.00			7,950.00	100.00%	0.00	795.00
Concrete- rebar/ties	14,350.00	14,350.00			14,350.00	100.00%	0.00	1,435.00
Concrete- pour	45,475.00	45,475.00			45,475.00	100.00%	0.00	4,547.50
Concrete- decorative/stamp walls	17,500.00	17,500.00			17,500.00	100.00%	0.00	1,750.00
Metal fabrication/painting	40,650.00	40,650.00			40,650.00	100.00%	0.00	4,065.00
Carpentry- temporary access	4,500.00	4,500.00			4,500.00	100.00%	0.00	450.00
Storefront doors	24,500.00	24,500.00			24,500.00	100.00%	0.00	2,450.00
Windows	11,800.00	11,800.00			11,800.00	100.00%	0.00	1,180.00
Plumbing	2,900.00	2,900.00			2,900.00	100.00%	0.00	290.00
Electrical/light fixtures	19,750.00	9,875.00	9,875.00		19,750.00	100.00%	0.00	1,975.00
Total Contract:	296,785.00	283,512.50	13,272.50	0.00	296,785.00	100.00%	0.00	29,678.50
Change Order #1: Remove Decorative Pattern Stamped Walls/Change to Standard Formed Walls & Colored/Pattern Stamped Walks	(7,000.00)	(7,000.00)			(7,000.00)	100.00%	0.00	(700.00)
Total Change Orders PR #1:	(7,000.00)	(7,000.00)	0.00	0.00	(7,000.00)	100.00%	0.00	(700.00)
Change Order #2: Remove Rot	553.17	553.17			553.17	100.00%	0.00	55.32



Builders
Lic.# 639587

17260 ~ City of Rio Dell- ADA Barrier Removal Project at City Hall

Application No: 5 & FINAL
Application Date: 01/25/18
Period To: 01/31/18
Contract/SOV Date: 08/03/17

Schedule of Work Completed

Total Change Orders PR #3:	553.17	553.17	0.00	0.00	553.17	100.00%	0.00	55.32
Change Order #3: Outside Phone Lines Cut - Repaired by Stewart Telecommunications and Billed to City of Rio Dell	(185.00)	(185.00)			(185.00)	100.00%	0.00	(18.50)
Total Change Orders PR #4:	(185.00)	(185.00)	0.00	0.00	(185.00)	100.00%	0.00	(18.50)
Change Order #4: Landscaping Credit	(1,075.00)		(1,075.00)		(1,075.00)	100.00%	0.00	(107.50)
Total Change Orders PR #5:	(1,075.00)	0.00	(1,075.00)	0.00	(1,075.00)	100.00%	0.00	(107.50)
Total Adjusted Contract:	289,078.17	276,880.67	12,197.50	0.00	289,078.17	100.00%	0.00	28,907.82

<1219.75>

39,885.56

SUPPLEMENTAL INFORMATION

For Meeting of: February 6, 2018

To: City Council

From: Kevin Caldwell, Community Development Director

Date: February 5, 2018

Subject: Cannabis Regulations.

1. The City Attorney has recommended that suggested language of sub-section (h) of Section 17.30.195(3) be struck and similar language incorporated in Section 17.30.195(7)(m). Below is a copy of the originally proposed language and the City Attorney's recommended language.

~~17.30.195(3)(h) With the exception of testing laboratories, all cannabis operators/licensees are required to hold a Medical or "M" type State license. Cannabis operators/licensees may hold an Adult or "A" type State license as well.~~

17.30.195(7)(m) Every person engaged in any commercial cannabis activity within the City of Rio Dell that applies for and is issued a State license type marked "A" for adult use under Section 26050(b) of the California Business and Professions Code shall also apply for and obtain, prior to engaging in activity permitted under the "A" type State license, a State license type marked "M" for medicinal use for the same type of commercial cannabis activity within the City. Any such person shall comply with Section 5025 of Title 16 of the California Code of Regulations. This provision shall not apply to persons possessing a State testing laboratory license



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: knoppk@cityofriodell.ca.gov

**City of Rio Dell
Staff Report
City Council Agenda
February 20, 2018**

To: Members of the City Council

From: Brooke Woodcox, Finance Director *BW*
Randy Jensen, Water/Roads Superintendent

Through: Kyle Knopp, City Manager *Y*

Date: February 20, 2018

Subject: Resolution 1376-2018 Increase Fiscal Year 2017/18 Appropriations for
EMERGENCY REPAIRS

RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1376-2018 amending the Operating and Capital budget to include additional appropriations as follows:

\$4,995 – Gas Tax Streets Fund (Account # 5135 19 020)

BACKGROUND

From time to time repairs of an emergency nature develop and budgeted amounts are not sufficient to cover those costs. There has been a culvert/storm drain failure on Edwards Drive and staff is requesting \$4,995 (estimated cost) in additional appropriations from the Gas Tax Fund (020) to pay for the repairs. The repair is near City water and sewer lines and further slip out could cause additional damage to City infrastructure. These costs have been incurred by the City due to the urgent nature and to mitigate any further damage.

ATTACHMENTS

- Resolution 1376-2017 Budget Amendment for Additional Appropriations for Emergency Repair to Culvert on Edwards Drive
- Request for Budget Transfer/Adjustment Form



**RESOLUTION NO. 1376-2017
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL
AMENDING THE OPERATING BUDGET
FOR THE FISCAL-YEAR 2017-2018 FOR
EMERGENCY CULVERT REPAIRS AT EDWARDS DRIVE**

WHEREAS, the City adopted Resolution 1333-2017 establishing the City's Operating and Capital Budget for the Fiscal-Year 2017/18; and

WHEREAS, the City has approved and its 2017/18 fiscal year Operating and Capital Budgets and have identified additional costs that should be included to update the 2017/18 fiscal-year budget; and

WHEREAS, from time to time repairs of an emergency nature arise and additional appropriations are necessary to cover those costs; and

NOW THEREFORE BE IT RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell 2017/18 Operating and Capital Budget with the following amendments:

- 1) \$4,995 – Gas Tax Fund (5135 19 020)

PASSED AND ADOPTED by the City Council of the Rio Dell on this 20th day of February by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk

CITY OF RIO DELL
REQUEST FOR BUDGET TRANSFER/ADJUSTMENT

BT/ADJ# _____

Reso.# _____

DEPARTMENT: Streets

DEPT# 19

DATE: 2/8/18

1.) REASON FOR BUDGET TRANSFER REQUEST

- ☐ Transfer within Departmental Budget and Fund(s) <\$3,000 (with Finance Director Approval)
☐ Transfer within Departmental Budget & Fund(s) <\$10,000 (with City Mgr. & Finance Director Approval)
☐ Transfer between Departments through Contingency Item (with Council Approval)
☒ Increase/decrease Departmental Budget (with Council Approval)
☐ Increase/decrease Contingency Budget Amounts (with Council Approval)

2.) TRANSFER FROM:

FUND	ACCOUNT NAME	ACCOUNT NUMBER	AMOUNT
	STREETS GAS TAX REPAIRS/MAINT.	513519020	4995
	INCREASE APPROPRIATIONS		

TRANSFER TO:

FUND	ACCOUNT NAME	ACCOUNT NUMBER	AMOUNT

3.) In the space below, state (a) reason for transfer request, (b) reason why there are sufficient balances in affected accounts, and (c) why transfer cannot be delayed until next budget year.

- a) EMERGENCY REPAIR
b) Gas tax Fund reserves are sufficient
c) City Infrastructure may incur additional damage

4.) Department Authorization:

Date: _____ (Signed) _____

5.) Account balances verified by Finance Director:

Date: 2/13/18 (Signed) B. Woodard

6.) ☒ /Approved ☐ /Not Approved

☐ /Recommended

☐ /Not Recommended

City Manager

Date: 2/16/18 (Signed) Z. Z.

7.) ☐ /Approved

☐ /Not Approved

☐ /Recommended

☐ /Not Recommended

☐ /Tabled

☐ /Modified

☐ /Next Meeting

City Council

Date: _____ (Signed) _____

*675 Wildwood Avenue
Rio Dell, CA 95562*



TO: Rio Dell City Council

FROM: Karen Dunham, City Clerk

THROUGH: Kyle Knopp, City Manager

DATE: February 20, 2018

SUBJECT: Resolution No. 1377-2018 Amending Master Fee Schedule

RECOMMENDATION

Approve Resolution No. 1377-2018 Amending the Master Fee Schedule to reflect the passage of AB 1379 effective January 1, 2018.

BACKGROUND AND DISCUSSION

On October 11, 2017, the Governor signed AB 1379 (currently referred to as SB 1186) thereby amending Section 4467 of the Government Code to increase the fee for business licenses or an equivalent instrument or permit by \$3.00 effective January 1, 2018. Any city or county not issuing business licenses is to apply the fee to their building permits. AB 1379 mandates that the city, county, or city and county shall retain 90 percent of fees collected under this section. The remaining 10 percent shall be transmitted on a quarterly basis to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund. Fees collected by the city are to be deposited into a special fund known as the CASp Certification and Training Fund. Up to 75 percent of the collected funds by the city shall be used to facilitate compliance with construction related accessibility requirements and for the training and retention of certified access specialists (CASp) within the local jurisdiction.

Starting January 1, 2024, the fees and requirements will remain in effect but the amount will reduce to \$1.00 with the city retaining 70 percent of the fees collected and 30 percent submitted to Division of the State Architect (DSA).

Therefore, staff recommends that the City Master Fee Schedule be updated to reflect an increase to the Business License Fee collected by the City from the current fee of \$1.00 to \$4.00 effective January 1, 2018 through December 31, 2023.

FINANCIAL IMPACT

The estimated financial impact associated with the implementation of AB 1379 is approximately \$700 in additional revenue annually, with 90 percent to be retained by the city for ADA compliance and 10 percent to DSA for deposit in the Disability Access and Education Revolving Fund.

ATTACHMENTS:

Resolution No. 377-2018

Updated page of the FY 2016-17 City of Rio Dell Master Fee Schedule

RESOLUTION NO. 1377-2018



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE FY 2016/17 MASTER FEE SCHEDULE AND
RESCINDING RESOLUTION NO. 1317-2017**

WHEREAS, the City of Rio Dell is authorized by Article XIII of the California Constitution and the California Government Code to charge fees and impose fines and penalties for certain violations; and

WHEREAS, the City adopted Resolution No. 1317-2017 on January 3, 2017 adopting a Master Fee Schedule; and

WHEREAS, the intent is to have all the City fees identified in one document; and

WHEREAS, on October 11, 2017, Governor Edward G. Brown, Jr. signed Assembly Bill (AB) 1379 (Chapter 667, Statutes of 2017) (commonly referred to as SB 1186) thereby amending Section 4467 of the Government Code to increase the fee for business licenses or an equivalent permit by \$3.00 effective January 1, 2018; and

WHEREAS, AB 1379 mandates that the city collect the fee on all issued business licenses to be deposited into a special fund known as the CASp Certification and Training Fund; and

WHEREAS, AB 1379 allows the city to retain 90 percent of the fees collected with up to 75 percent of the funds to be used to facilitate compliance with construction related accessibility requirements and for the training and retention of certified access specialists (CASp) within the local jurisdiction; and

WHEREAS, AB 1379 requires the city to submit 10 percent of the funds collected to the Division of the State Architect (DSA) for deposit in the Disability Access and Education Revolving Fund.

NOW THEREFORE BE IT RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell 2016/17 Master Fee Schedule to include:

- 1) An increase in the State Mandated Disability Access Fee on Business Licenses from \$1.00 to \$4.00, and
- 2) A change in the title of the fee from SB 1186 to AB 1379.

PASSED, AND ADOPTED by the City Council of the Rio Dell on this 20th day of February by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. 1377-2018 adopted by the City Council of the City of Rio Dell on February 20, 2018.

Karen Dunham, City Clerk

CITY OF RIO DELL ADMINISTRATION/FINANCE DEPARTMENT		
Description	Reference	Current Fee
General Fees		
Return Check	Res. 1211	\$25.00 for 1 st \$35.00 for 2 nd
Transient Occupancy Tax	Ord. 39	10.5% for first month after delinquent date plus an additional 10.5% for the second month delinquent plus .5% each additional month or fraction thereof.
Copy/Document Fees		
8 ½" x 11" Black & White	Res. 1249	\$.10 each
8 ½" x 11" Color	Res. 1249	\$.25 each
8 ½" x 14" Black & White	Res. 1249	\$.15 each
8 ½" x 14" Color	Res. 1249	\$.35 each
11" x 17" Black & White	Res. 1249	\$.25 each
11" x 17" Color	Res. 1249	\$.50 each
Fax	Res. 1249	\$1.00 up to 5 pages
Notary Public Acknowledgement	Res. 1249	\$10.00 per signature
Business License Fees		
SB 1186 <u>1379</u> State Mandated Disability Access Fee	SB 1186	\$1.00 <u>4.00</u> per license
Class A – Yearly Gross Receipts of \$500 - \$30,000	Res. 1029	\$30.00
Class B – Yearly Gross Receipts in Excess of \$30,000	Res. 1029	\$60.00
Late Fee Penalty If Paid Between 8/31 and 9/30 If Paid Between 10/1 and 10/31 If Paid Between 11/1 and 11/30 If Paid After 11/30	Ord. 259	25% 50% 75% 100%
Residential Rentals (two or more units)	Res. 1029	\$4.00 per unit
Mobilehome or Travel Trailer Space	Res. 1029	\$2.00 per space
Change in Address	Res. 1029	\$10.00

City of Rio Dell
Check Listing for City Council Meeting

<u>Ref#</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
6490	1/04/2018	[6117] A-1 CLEANING SERVICE, LLC	MONTHLY CLEANING SERVICE FOR DECEMBER 2017	433.00
6491	1/04/2018	[4109] ACCESS HUMBOLDT	SL FRANCHISE OVERSIGHT ON BEHALF OF LFA'S PER AGREEMENT OF JUNE 1, 2008	270.00
6492	1/04/2018	[5235] ADVANTAGE FINANCIAL SERVICES	DOCSTAR 3.12 SOFTWARE PACKAGE	343.08
			DOCSTAR USER LICENSES & SYSTEM SOFTWARE	
6493	1/04/2018	[2225] AQUA SIERRA CONTROLS, INC	RED LION DATA STATION	705.95
6494	1/04/2018	[4949] ASAP Lock & Key	SERVICE CALL TO RE-KEY LOCKS & INSTALL DEADBOLTS	1,010.31
6495	1/04/2018	[4603] CALIF. BUILDING STANDARDS COMMISSION	PERMIT ASSESSMENT FEES FOR OCTOBER THROUGH DECEMBER 2017	9.90
6496	1/04/2018	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 12/22/2017	90.00
6497	1/04/2018	[2932] DCI BUILDERS	PAYMENT REQUEST #4 FOR ABR ADA IMPROVEMENTS AT CITY HALL	36,954.00
6498	1/04/2018	[2342] DEPT OF CONSERVATION DIVISION OF ADMIN.	STRONG MOTION INSTRUMENTATION & SEISMIC HAZARD MAPPING FEES FOR OCTOBER THROUGH DECEMBER 2017	23.83
6499	1/04/2018	[2347] DEPT OF MOTOR VEHICLES	VEHICLE CODE BOOKS	19.40
6500	1/04/2018	[5568] DIVISION OF THE STATE ARCHITECT	DISABILITY ACCESS & EDUCATION FEES FOR OCTOBER THROUGH DECEMBER 2017	6.30
6501	1/04/2018	[2405] FORTUNA ACE HARDWARE	TWO GAL MURATIC ACID; HOLE SAW; 5 LB NEWTOWEL	115.54
			TWO EACH FILTER AIR PLEAT, TEFLON PASTE, THREAD SEAL TAPE	
6502	1/04/2018	[2414] FRANCHISE TAX BOARD	EARNINGS WITHHOLDING ORDER FOR TAXES FOR PPE 12/22/17	250.00
6503	1/04/2018	[4855] FRESHWATER ENVIRONMENTAL SERVICES	CONSULTING SERVICES - LETTERS AND INFORMATION REGARDING MUNICIPAL WELLS	5,400.00
			CONSULTING SERVICES - SWPPP PREPARATION	
6504	1/04/2018	[5052] GHD, INC	ENGINEERING SERVICES FOR METROPOLITAN WELLS REDEVELOPMENT - CONSTRUCTION PHASE	15,476.75
6505	1/04/2018	[2437] HACH	NITROGEN TOT LR TNT, KTO: RGT SET THM PLUS, ALUMINUM, AND rr COD aa REAGENT SET, CHLORINE FREE CL17 REACTOR 115V	2,330.75
6506	1/04/2018	[5599] WILLIE HOHL	CUSTOMER DEPOSIT REFUND	41.00
6507	1/04/2018	[2457] HUMBOLDT COUNTY CLERK-RECORDER	MAP COPY	10.00
6508	1/04/2018	[4474] IIMC	ANNUAL MEMBERSHIP FEE THROUGH 3/31/19	160.00
6509	1/04/2018	[2518] LAW ENFORCEMENT SYSTEMS	RECEIPTS FORMS FOR PROPERTY	45.00
6510	1/04/2018	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR DECEMBER 2017	1,000.00
6511	1/04/2018	[4360] MODERN MARKETING, INC	SHIELD SHAPED STICKERS	338.56
6512	1/04/2018	[2569] NORTH COAST LABORATORIES, INC.	COLIFORM QUANTI-TRAY HALOACETIC ACIDS	195.00
6513	1/04/2018	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR JANUARY 15, 2018 THROUGH FEBRUARY 15, 2018	1,140.00
6514	1/04/2018	[6331] PERRY, CAROL	CUSTOMER DEPOSIT REFUND	300.00
6515	1/04/2018	[5973] PRECISION INTERMEDIA	MONTHLY WEB HOSTING FEE FOR JANUARY 2018	30.00
6516	1/04/2018	[6349] RECOLOGY EEL RIVER	GARBAGE BAGS FOR DECEMBER 2017	329.35
6517	1/04/2018	[5925] RILEY, BRITTNEY	CUSTOMER DEPOSIT REFUND	97.84
6518	1/04/2018	[2657] RIO DELL EMPLOYEES ASSOC	DUES FOR QUARTER ENDING 12/31/17	98.00
6519	1/04/2018	[2659] RIO DELL PETTY CASH	FUEL; FED EX SHIPPING	138.53
6520	1/04/2018	[2664] ROGERS MACHINERY INC	TO INSTALL SERVICE AT PAINTER ST LIFT STATION	8,616.12

City of Rio Dell
Check Listing for City Council Meeting

6521	1/04/2018	[2693] SHELTON'S AUTO LUBE	FULL OIL CHANGE SERVICE FOR 2008 FORD F-250 SUPER DUTY	57.20
6522	1/04/2018	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR DECEMBER 2017	101.20
6523	1/04/2018	[2709] STAPLES DEPT. 00-04079109	BLACK HP TONER CARTRIDGE	76.11
6524	1/04/2018	[2714] SWRCB ACCOUNTING OFFICE	LARGE WATER SYSTEM FEES FOR 7/1/17 - 6/30/18	6,815.50
6525	1/04/2018	[6282] TABER, SARAH	CUSTOMER DEPOSIT REFUND	38.71
6526	1/04/2018	[5108] WAHLUND CONSTRUCTION INC.	PAY REQUEST #10 FOR METROPOLITAN WELLS REDEVELOPMENT PROJECT	2,095.05
6527	1/04/2018	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR JANUARY 2018	609.58
6528	1/11/2018	[0576] 101 AUTO PARTS	SPRAY; S.G. BLA	83.14
			T-WAX F21 CAR WASH	
			WIPER BLADES FOR 2014 FORD EXPLORER	
6529	1/11/2018	[3108] ACCUFUND, INC.	UPGRADE TO 5538	550.00
			UPGRADE TO 5544	
6530	1/11/2018	[6038] ACCURATE TERMITE & PEST SOLUTIONS	MONTHLY RODENT CONTROL AT 475 HILLTOP DRIVE	170.00
6531	1/11/2018	[5381] ALTERNATIVE BUSINESS CONCEPTS	STAPLES FOR KYOCERA COPIER	81.55
6532	1/11/2018	[3975] AT&T - 5709	PHONE EXPENSES FOR NOVEMBER 2017	16.76
6533	1/11/2018	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR JANUARY 2018	4,305.00
			LAB TESTING FOR OCTOBER THROUGH DECEMBER 2017	
6534	1/11/2018	[2304] COLLEGE OF THE REDWOODS	PERISHABLE SKILLS TRAINING FOR POLICE OFFICER	95.00
6535	1/11/2018	[6396] JEFF N CONNER	REIMBURSEMENT FOR ROUND TUBE RECEIVER HITCH FOR FORD EXPLORER	249.40
6536	1/11/2018	[2405] FORTUNA ACE HARDWARE	540' ROLL TWIST NYLON LINE; 6 4X4X12 DOUG FIR STD&BTR PT LUMBER	230.46
			TEN 80 LB CONCRETE MIX	
			BARBED COUPLING 1/4"	
			TWO PVC ADAPTER DWV 4" HXFPT	
6537	1/11/2018	[6126] LEON, PEDRO	CUSTOMER DEPOSIT REFUND	181.98
6538	1/11/2018	[4908] MITCHELL BRISSE DELANEY & VRIEZE	LEGAL SERVICES FOR DECEMBER 2017	1,581.14
			LEGAL SERVICES FOR DECEMBER 2017	
6539	1/11/2018	[5269] MOBILE DIESEL REPAIR	REPAIRS TO LC7 CAT/SEWER UNIT	2,499.70
6540	1/11/2018	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT FOR POLICE OFFICER	160.00
			EMPLOYMENT ADVERTISEMENT FOR POLICE OFFICER	
6541	1/11/2018	[2569] NORTH COAST LABORATORIES, INC.	ACID DIGESTION; AMMONIA NITROGEN UN-IONIZED & W/O DISTILLATION; HARDNESS- DRINKING WATER; ICAP METALS; NITRATE/NITRITE; THM BY EPA 624; TOTAL DISSOLVED SOLIDS; TOTAL NITROGEN; TOTAL PHOSPHATE PHOSPHORUS;; TURBIDITY	491.00
6542	1/11/2018	[5868] SALDANHA, SHANTE & CESAR	CUSTOMER DEPOSIT REFUND	199.38
6543	1/11/2018	[2690] SHERWIN - WILLIAMS CO.	TEN 5 GAL PROMAR SLVNT VOC COM	199.75
6544	1/11/2018	[4570] SHRED AWARE	SHREDDING	115.00
6545	1/11/2018	[2710] STARPAGE	PAGING SERVICE 1/1/18 - 1/31/18	12.95
6546	1/11/2018	[2319] SUDDENLINK	MONTHLY BROADBAND, INTERNET & PHONE SERVICE 1/10/18 - 2/9/18	819.57
6547	1/11/2018	[2787] WYCKOFF'S	6 EACH 1"X3" REPAIR CLAMPS; 2 EACH 2" PVC COMP COUPLINGS	138.13
6548	1/16/2018	[5765] GARNES, DEBRA	4 EACH 3/4" BRONZE GATE VALVES	
			MILEAGE & MEALS PER DIEM TO ATTEND LOCC POLICY MEETING	450.82

City of Rio Dell
Check Listing for City Council Meeting

6549	1/18/2018	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPY CHARGES FOR DECEMBER 2017	596.17
6550	1/18/2018	[2237] BANK OF AMERICA BUSINESS CARD	KYOCERA MONTHLY MAINTENANCE & COPY CHARGES FOR DECEMBER 2017 STAPLES - BANKERS STORAGE BOX & PENS LORMAN.COM - ONLINE PUBLIC CONTRACTS & PROCUREMENT REGULATIONS MANUAL WINZIP - SOFTWARE FOR SERVER MAPLE SYSTEMS - REPLACE HMI TOUCH SCREEN CSMFO CONFERENCE DELL - TWO BLACK TONER CARTRIDGES G3 ENGINEERING RESALE LUMBER PRODUCTS - TWO RED/WHITE 30 GALLON BARRELS PPG ARCHITECTURAL COATINGS - 2 GALLONS PAINT ADOBE PRO DC MONTHLY SUBSCRIPTION PERSONNEL CONECTPS - STATE & FEDERAL LABOR LAW POSTERS PAYPAL - CCMF 2017-18 STANDARD MEMBERSHIP VISTAPRINT - BUSINESS CARDS FOR WASTEWATER SUPERINTENDENT TRAINEE WQI - WASTEWATER REVIEW CLASS	3,032.08
6551	1/18/2018	[4937] CALIFORNIA DEPARTMENT OF TRANSPORTATION	SIGNALS & LIGHTING BILLING OCTOBER THROUGH DECEMBER 2017	194.38
6552	1/18/2018	[2296] CITY CLERK'S ASSOCIATION OF CALIFORNIA	ANNUAL MEMBERSHIP DUES	90.00
6553	1/18/2018	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 1/5/18	90.00
6554	1/18/2018	[2313] COSTCO MEMBERSHIP	ANNUAL MEMBERSHIP RENEWAL	60.00
6555	1/18/2018	[4181] CSMFO	2018 MEMBERSHIP DUES	110.00
6556	1/18/2018	[5627] DAVIDSON, MARY	CUSTOMER DEPOSIT REFUND	300.00
6557	1/18/2018	[5127] DELTA DENTAL	DENTAL INSURANCE FOR FEBRUARY 2018	2,034.73
6558	1/18/2018	[2414] FRANCHISE TAX BOARD	EARNINGS WITHHOLDING ORDER FOR TAXES FOR PPE 1/5/18	250.00
6559	1/18/2018	[2437] HACH	COMPOSITE SAMPLER; 115V, 2.5 GAL POLY	4,599.37
6560	1/18/2018	[5497] HUMPHREY, TRAVIS	CUSTOMER DEPOSIT REFUND	24.06
6561	1/18/2018	[2570] NILSEN COMPANY	315 40# BAGS SOLAR SALT	1,663.12
6562	1/18/2018	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT FOR POLICE OFFICER	80.00
6563	1/18/2018	[2603] PG&E	UTILITY EXPENSES FOR DECEMBER 2017	15,403.02
6564	1/18/2018	[4338] QUILL CORPORATION	2 PK FALCON 7 OZ DUST-OFF; MONTHLY DESK PAD; 1 BOX G2 PENS XEROX YELLOW PHASER TONER 8.5 GB DVD 8 LAYER SPINDLE 6 PK COUNTERFEIT MONEY DETECTOR PENS	238.72
6565	1/18/2018	[2664] ROGERS MACHINERY INC	RECLAIMED PUMP/MOTOR	4,409.28
6566	1/18/2018	[2694] SHELL OIL CO.	PD FUEL EXPENSES FOR DECEMBER 2017 PW FUEL EXPENSES FOR DECEMBER 2017 ADMIN CAR FUEL EXPENSES FOR DECEMBER 2017 PD FUEL EXPENSES FOR JANUARY 2018 PW FUEL EXPENSES FOR JANUARY 2018	1,728.76

City of Rio Dell
Check Listing for City Council Meeting

6567	1/18/2018	[2682] SMALL CITIES ORGANIZED RISK EFFORT (SCORE)	QUARTERLY PREMIUM FOR WORKER'S COMPENSATION INSURANCE 7/1/17 - 6/30/18	19,878.77
6568	1/18/2018	[6373] THATCHER COMPANY, INC.	SIERRA PURE CHLOR 12.5%-5 GAL BLUE CARBOY; CONTAINER DEPOSIT; BLEACH	1,078.26
6569	1/18/2018	[3373] VALLEY LUMBER & MILLWORK	SCHLAGE LOCK	174.44
6570	1/18/2018	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 1/5/18	4,880.10
6571	1/18/2018	[5108] WAHLUND CONSTRUCTION INC.	REIMBURSEMENT FOR PG&E ELECTRIC CHARGES AT 1042 NORTHWESTERN AVE	89.64
6572	1/18/2018	[2772] WENDT CONSTRUCTION, INC	REPAIR WATER LEAK ON BELLEVIEW AVE	975.00
6573	1/25/2018	[2411] DEARBORN NATIONAL LIFE INSURANCE CO	LIFE INSURANCE FOR FEBRUARY 2018	322.50
6574	1/25/2018	[2386] EUREKA RUBBER STAMP CO.	"CITY OF RIO DELL" STAMP	18.99
6575	1/25/2018	[5352] JOANNE E FARLEY	MILEAGE REIMBURSEMENT	27.81
6576	1/25/2018	[2394] FEDEX	SHIPPING CHARGES	92.13
6577	1/25/2018	[2405] FORTUNA ACE HARDWARE	TWO 1/8" IMPACT DRILL BITS	44.96
6578	1/25/2018	[6299] JJACPA. INC.	TWO 5X8X20' REBAR; EXPO DRY ERASEMARKER, 4CT; WIRE WEAVING 18 GA 100' GALV	
6579	1/25/2018	[5942] KEENAN & ASSOCIATES	FINANCIAL STATEMENT AUDIT WRAP UP & COUNCIL PRESENTATION 1/16/18	2,200.00
6580	1/25/2018	[2521] LEAGUE OF CALIF. CITIES	HEALTH INSURANCE FOR FEBRUARY 2018	17,404.96
6581	1/25/2018	[2569] NORTH COAST LABORATORIES, INC.	REDWOOD EMPIRE MEMBERSHIP DUES FOR 2018	50.00
6582	1/25/2018	[2709] STAPLES DEPT. 00-04079109	COLIFORM QUANTI-TRAY	45.00
6583	1/25/2018	[5166] VSP-VISION SERVICE PLAN	NOTEPAD; LEGAL SIZE FASTENER FILE FOLDERS; POST-IT STICKY NOTES	462.09
6584	1/25/2018	[2772] WENDT CONSTRUCTION, INC	ONE BLACK TONER CARTRIDGE; THREE COLOR TONER CARTRIDGES	
6585	1/25/2018	[5569] BROOKE D E WOODCOX	SAMSUNG BLACK TONER CARTRIDGE	
6586	1/31/2018	[2303] COAST CENTRAL CREDIT UNION	VISION INSURANCE FOR FEBRUARY 2018	339.90
6587	1/31/2018	[6396] JEFF N CONNER	INSTALL SEWER LATERALS ON CITY SIDE	2,063.20
6588	1/31/2018	[2340] DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	13.25 TONS BASE DELIVERED	
6589	1/31/2018	[2405] FORTUNA ACE HARDWARE	MEALS PER DIEM; FUEL & LODGING REIMBURSEMENT TO ATTEND SCORE MEETING	209.34
6590	1/31/2018	[2414] FRANCHISE TAX BOARD	POA DUES FOR PPE 1/19/18	90.00
6591	1/31/2018	[4855] FRESHWATER ENVIRONMENTAL SERVICES	REIMBURSEMENT FOR DELL MONITOR & LEADERSHIP TRAINING	444.29
6592	1/31/2018	[5052] GHD, INC	BLOOD ALCOHOL ANALYSIS FOR DECEMBER 2017	35.00
6593	1/31/2018	[2437] HACH	TWO CONTRACTOR/FARM HOSES	
			TWO UTILITY KNIVES; 2 GAL GARDEN SPRAYER; LFL 32W 48" T8 CW PRO	257.85
			FOUR ADAPTERS	
			THREE GAL DISTILLED WATER	
			EARININGS WITHHOLDING ORDER FOR TAXES FOR PPE 1/19/18	250.00
			CONSULTING SERVICES FOR NPDES COMPLIANCE	3,150.00
			CONSULTING SERVICES - CONFERENCE CALLS	
			ENGINEERING SERVICES FOR METROPOLITAN WELLS REDEVELOPMENT - CONSTRUCTION PHASE	4,599.63
			ENGINEERING SERVICES FOR SPRING/BELLEVIEW DRAINAGE FIELD INSPECTION & REPAIR	
			MEMBRANE REPLACEMENT, CLF10sc STAINLESS TIP	99.84

City of Rio Dell
Check Listing for City Council Meeting

6594	1/31/2018	[2110] GRAHAM G HILL	REFUND FOR OVERPAYMENT ON COBRA INSURANCE	140.47
6595	1/31/2018	[2501] KEENAN SUPPLY	20 EA CHRISTY GO5T 10-38 RD CONCRETE H2O TRAFFIC VALVE BOX; 10 EA CHRISTY GO5CT SEWER/WATER LID	1,494.59
6596	1/31/2018	[6364] MUNIQUIP, LLC	SO3 PUMP	4,444.49
6597	1/31/2018	[5973] PRECISION INTERMEDIA	MONTHLY WEB HOSTING FEE FOR FEBRUARY 2018	30.00
6598	1/31/2018	[2664] ROGERS MACHINERY INC	GOULDS SUBMERSIBLE SEWAGE PUMP	1,506.19
6599	1/31/2018	[2668] RWS SERVICES	FREIGHT ON GOULDS SEWAGE PUMP INV #1109922	
6600	1/31/2018	[2719] STATE WATER RESOURCES CONTROL BD	CABLE, 3.5 MM QUICK RELEASE EAR PIECE W/ACOUSTIC TUBE INSERT, MOLDED EAR	54.74
6601	1/31/2018	[2712] STEVE'S SEPTIC SERVICE, LLC	RENEWAL FEES FOR DRINKING WATER DISTRIBUTION OPERATOR CERTIFICATION	90.00
6602	1/31/2018	[6373] THATCHER COMPANY, INC.	PUMP FERN STREET LIFT STATION	675.00
			CONTAINER DEPOSIT REFUNDS	1,774.67
6603	1/31/2018	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	THREE SODIUM BISULFITE 25% SOLUTION 330 GAL TOTES; CONTAINER DEPOSITS	
			RETIREMENT FOR PPE 1/19/18	5,238.01
Total Checks/Deposits				208,037.84

4318938	1/02/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 12/22/2017.	(10,251.62)
867-584	1/02/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 12/22/2017.	(1,711.42)
520736	1/03/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC FOR DECEMBER 2017.	(138.66)
172-928	1/16/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 01/05/2018	(4,664.78)
729522	1/16/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 01/05/2018	(12,468.24)
9424164	1/17/2018	WITHDRAWALS	BANK ANALYSIS FEE FOR JANUARY 2018	(115.38)
9424165	1/22/2018	ELECTRONIC FUNDS TRANSFER	EFT TO STATE BOARD OF EQUALIZATION FOR ANNUAL YEAR END SALES TAX PAYABLE FOR 2017	(413.00)
100827	1/23/2018	WITHDRAWALS	DEPOSITED ITEM RETURNED	(172.00)
845992	1/26/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE FOR JANUARY 2017	(138.66)
102138	1/29/2018	WITHDRAWALS	DEPOSITED ITEM RETURNED	(5,268.32)
429-440	1/29/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 01/19/2018.	(3,781.17)
2300467	1/29/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 01/19/2018.	(10,002.72)
Total EFT's/Bank Withdrawals				(49,125.97)

TRX TO PR	1/9/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 01/05/2018	(2,241.31)
TRX TO PR	1/9/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 01/05/2018	(27,556.91)
TRX TO PR	1/23/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 01/19/2018	(28,031.89)
Total Transfer Between Accounts				(57,830.11)

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: cm@riodellcity.com



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
February 20, 2018**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager *[Signature]*
FROM: Brooke Woodcox, Finance Director *[Signature]*
DATE: February 20, 2018
SUBJECT: Budget Calendar for FY 2018/19

RECOMMENDATION

Receive and discuss proposed FY 2018/19 Operating and Capital Budget Calendar Item

BACKGROUND AND DISCUSSION

The City's annual Operating and Capital Budget is generally adopted by June 30, prior to the beginning of the new fiscal year. The 2018/19 proposed budget calendar reflects this directive with proceedings beginning in February 2018 and completed in June 2018.

ATTACHMENTS:

- FY 2018/19 Proposed Budget Calendar

2018/19 Proposed Budget Calendar

FEBRUARY

- **Week of February 26 – March 2**
 - Development of proposed staffing plan

MARCH

- **Week of March 5 – March 9**
 - Salary costs are calculated based on the proposed staffing plan
 - Revenue forecasting is completed
 - Budget worksheets are compiled
- **March 12 – 31 City Council / Staff Public Works Fieldtrip**
 - Schedule a date at meeting of 2/16/18
- **March 12**
 - Budget Packets Distributed to Department Heads/Supervisors
- **March 23**
 - Department Heads/Supervisors turn in Budget Requests to Finance Director
- **March 30**
 - Budget packet compiled by Finance and presented to the City Manager

APRIL

- **Weeks of April 2 – April 16**
 - City Manager meets with each Department Head
 - City Manager submits revised Departmental proposals to Finance
 - Schedule Budget Study Session for week of April 23 – April 26 (mtg. 4/3, 4/17)
- **April 20**
 - Finance finishes preparing recommended budget for City Council
- **Week of April 23 – April 26**
 - Budget Study Sessions (Tentative 4:00-6:00)
 - * 23 Monday WATER
 - * 24 Tuesday GENERAL FUND/Police Department
 - * 25 Wednes. SEWER
 - * 26 Thursday STREETS/B&G/ Wrap-up
- **April 27**

Budget with any revisions is agendized for May 2 Council meeting

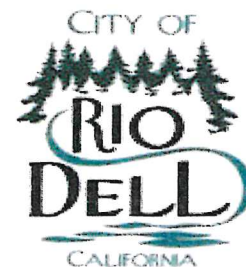
MAY

- **May 1**
 - City Manager presents the Recommended Operating Budget
- **May 15**
 - City Public Hearing- City Manager presents the revised Recommended Operating and Capital Budget

JUNE

- Special meetings as necessary
- **June**
 - Special Presentation- Finance Director Presents the Final Operating and Capital Budget for Adoption Resolution No. _____

*Rio Dell City hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



February 20, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action Related to Various Public Works Projects and Related Requests for Proposals (RFP)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction, if any.

BACKGROUND AND DISCUSSION

Staff is currently working on various RFPs for projects to occur over the 2018 construction season. Staff will brief the Council on the RFP's listed below and invite comment.

Habitat Parcel Sidewalk Repair – Staff has been working with the owner of 61 Monument Road and have agreed to help facilitate repair bids on the organization's behalf to conduct repair work.

Water Plant Backwash Realignment – Water used to clean the filters is currently directed into the wastewater plant. This project will use existing facilities to temporarily redirect the wastewater into a settling pond, where dirt and other debris can settle into the bottom of the tank, thereby reducing stress on the wastewater plant.

Street Striping – restriping of Center Street from Wildwood to Ireland. Potential add-on for maintenance of bicycle lanes and crosswalks along Wildwood Avenue south of Davis Street.

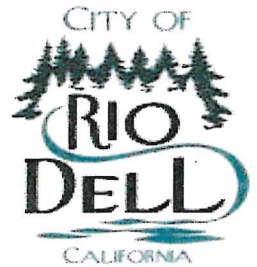
Drainage Culverts – installation of new culvert along Spring Street and crossing Bellevue Avenue. Replacement of culvert at Bellevue and Pacific Avenues.

City Hall Lobby – Project will include new security windows at the front desk, new video security camera and display as well as improvements to ADA accommodations.

Northwestern Avenue Drainage Improvements – Project proposes to remove approximately 100 cubic yards of material via dump truck.

///

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodelcity.com*



February 20, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action Regarding Application for Measure Z Funding

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction on application for Measure Z and direct the City Manager to make application for funds.

BACKGROUND AND DISCUSSION

Measure Z is a countywide ½ cent Sales and Use Tax approved by the voters of Humboldt County on November 4, 2014. The County allows jurisdictions like the City of Rio Dell to make application for Measure Z funds and since its inception Rio Dell has been the beneficiary of \$102,750 in approved grants. The City has been successful in obtaining funding for part-time clerical support in the Police Department. Prior to obtaining the Measure Z grants, there was no clerical support for the Police Department.

For this year, staff is proposing the submission of two grants, including the continued funding for the clerical support position in the Police Department. New for this year is a joint application for funding with the Ferndale Police Department in a total amount of \$183,439, with \$100,481 going specifically to needs in Rio Dell. This funding would go towards updating the Police Department's Record Management System (RMS) to a modernized version in line with regional law enforcement agencies.

The city is currently under a February 23, 2018 deadline to submit applications for Measure Z funding for the FY 2018-2019 period.

Attachments:

- 1.) Ferndale/Rio Dell application for current year
- 2.) Rio Dell clerical application from last year (new application still being drafted).

///



CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

(Advisory Committee will make recommendations to the Humboldt County Board of Supervisors as to expenditure of funds derived from Measure Z)

APPLICATION FOR FUNDING

Agency Name: FERNDALE P.D. / RIO DELL P.D.

Mailing Address: P.O. BOX 1096, FERNDALE, CA 95536

Contact Person: BRET A. SMITH

Title: CHIEF OF POLICE

Telephone: (707) 786-4025

E-mail address: policechief@ci.ferndale.ca.us

1. AMOUNT OF MEASURE Z FUNDING REQUESTED FOR FY 2018-19: \$ 183,439.00

2. ENTITY TYPE -- Please check appropriate box.

- a. Humboldt County Department ☐
- b. Contract Service Provider to Humboldt County ☐
- c. Local Government Entity ☒
- d. Private Service Provider ☐
- e. Non-Profit Service Provider ☐
- f. Other ☐

3. Please provide brief description of proposal for which you are seeking funding.

SEE ATTACHED

4. Measure Z funding is scheduled to "sunset" in 2020. How are you developing a plan for sustainability, including diversification of funding sources, in order for your proposal to carry on without reliance on future Measure Z funds?

SEE ATTACHED

5. If this request is for the continuation, or expansion, of an existing program/service, what is the current source of funding for that program/service?

SEE ATTACHED

6. If you are awarded Measure Z funds, how will you use them to leverage additional grants, contributions, or community support?

SEE ATTACHED

7. Will this proposal require new or expanded activity on the part of another entity to be fully functional and effective? If so, please describe.

SEE ATTACHED

8. Are there recurring expenses associated to this application, such as personnel costs? Please check yes or no and if so, please detail those expenses. ☐ Yes ☐ No

SEE ATTACHED

ATTACHMENTS—Please include the following with your application

Proposal Narrative: Brief description of your request for Measure Z funds – Please explain how it is an essential service or for public safety. (one page maximum)

Prior Year Results: If your request is a continuation of a program funded with Measure Z in prior fiscal years, please provide the results of implementation. (one page maximum)

Program Budget

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: FEB. 15, 2018

SIGNATURE: 

SUBMIT THIS APPLICATION TO:

Humboldt County Citizens' Advisory Committee on Measure Z Expenditures
c/o County Administrative Office
825 Fifth Street, Room 112
Eureka, CA 95501-1153

Application - Measure Z Funding 2018-19

3. The City of Ferndale Police Department/Rio Dell Police Department propose funding for the following:

The existing Record Management Systems (RMS) for the Ferndale and Rio Dell Police Departments have been in use for 10 plus years. These systems no longer meet the operational demands of our law enforcement agencies for information sharing on a regional basis. Our current systems do not allow integration with other systems without the need for costly and ineffective middleware. All of our allied law enforcement partner agencies have or are migrating to a single vendor, Sun Ridge Systems, to ensure interoperability and track crime and criminals throughout the county, five city police departments and special districts.

It should be noted the City of Fortuna Police Department provides dispatch services for the Ferndale and Rio Dell Police Departments. Fortuna recently went to Sun Ridge Systems for its Computer Aided Dispatch (CAD) and integrated RMS. By using the same system as Fortuna, as well as the rest of Humboldt County law enforcement, local agencies will have the capability of readily sharing information including, but not limited to, reports, photos, video and crime trends.

Ferndale Police Department	\$ 82,958.00
Rio Dell Police Department	\$100,481.00
Total:	\$183,439.00

*See attached quotation for specifics

4. This proposal is a one-time request for funding. The annual budgets will sustain future licensing and annual support.
5. Not Applicable.
6. The Cities of Ferndale and Rio Dell will demonstrate their initiative, ability and resolve to obtain alternative funding sources. These funding sources will be directed to public safety essential services in order to enhance response to public safety calls for service.
7. This proposal does not require new or expanding activities; however, it will facilitate already existing relationships such as dispatching responsibilities Fortuna Police Department provides Ferndale and Rio Dell Police Departments.
8. Anticipated recurring expenses include product license fees and annual support to be included in each department's respective annual budgets.

Application – Measure Z Funding 2018-19

Proposal Narrative

The City of Ferndale Police Department/Rio Dell Police Department propose funding for the following:

The existing Record Management Systems (RMS) for the Ferndale and Rio Dell Police Departments have been in use for 10 plus years. These systems no longer meet the operational demands of our law enforcement agencies for information sharing on a regional basis. Our current systems do not allow integration with other systems without the need for costly and ineffective middleware. All of our allied law enforcement partner agencies have or are migrating to a single vendor, Sun Ridge Systems, to ensure interoperability and track crime and criminals throughout the county, five city police departments and special districts.

It should be noted the City of Fortuna Police Department provides dispatch services for the Ferndale and Rio Dell Police Departments. Fortuna recently went to Sun Ridge Systems for its Computer Aided Dispatch (CAD) and integrated RMS. By using the same system as Fortuna, as well as the rest of Humboldt County law enforcement, local agencies will have the capability of readily sharing information including, but not limited to, reports, photos, video and crime trends.

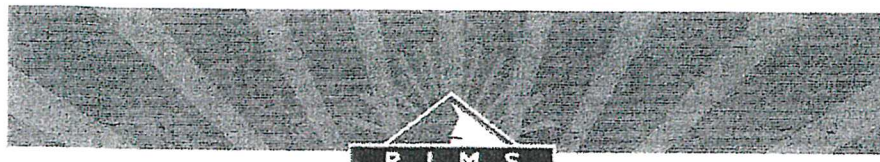
Advantages of the proposed Sun Ridge CAD/RMS system include:

- State of the art specialized single database system.
- Sharing the same system as other Humboldt County law enforcement agencies, moving towards a regionalized data sharing model.
- Enhanced abilities for offender tracking, sex registrants, wanted subjects, parolees, probationers, and AB 109 incarceration releases.
- Merge and share vehicle data intelligence files to assist with the stolen vehicle program and interface to the State of California Statewide Traffic Collision Reporting System.
- Provide link analysis capability for crime analysis on persons or associated groups who have criminal background connections.
- Establish and/or upgrade mapping databases.
- Implement GPS tacking capability for patrol units.
- Accurately run and lock down reports and statistics for the State's Uniform Crime Report Audit.
- Consolidate data entry for property and evidence modules to reduce data entry for each property item.
- Improve quality of information technology involvement by reducing system errors, lockouts, data entry corrections, crime statistic problems and general software incompatibilities.
- Provide officers and citizens with updated mapping report and analysis.
- Increase the efficiency and automation in our crime analysis ability and method of operation tracking.

Proposal Narrative Continued -

Additionally, the software allows interface with the 9-1-1 telephone system, the California Law Enforcement Telecommunications System (CLETS), and other databases that increase regional interoperability. Our goal, with Humboldt's other law enforcement partners, is to eliminate redundant work processes between law enforcement, the county jail, court administration, and the District Attorney's Office.

Ferndale Police Department	\$ 82,958.00
Rio Dell Police Department	\$100,481.00
Total:	\$183,439.00
*See attached quotation for specifics	



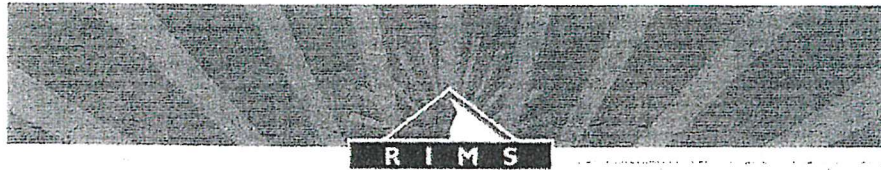
Sun Ridge Systems, Inc.

To: Chief Brett Smith, Ferndale Police Department
From: Carol Jackson
Subject: Quotation for RIMS Software
Date: February 14, 2018

The following is a quotation for RIMS software based upon your recent request.

As priced, this configuration would utilize our multi-agency CAD in which there is one CAD database on which all agencies' incidents are recorded. CAD data can be separated by agency for reporting purposes. Each agency has its own records database, but people and vehicle data is kept on a single database and used by all. The price of RMS, Property Room and Collaborate are included below while all other product prices, and the annual support for these products, reflect a 100% multi-agency discount.

Item	Price
RIMS Records Management Software	\$12,000
RIMS Mobile Computer Software	\$0
RIMS State Link Software (CLETS)	\$0
RIMS In Station Mapping Software (See Mapping note)	\$0
RIMS Mobile Mapping Software (See Mapping note)	\$0
RIMS Property Room Bar Coding Software	\$2,000
RIMS Collaborate Data Sharing Software	\$1,500
Worth Data Bar Coding Equipment (See Bar Coding Equipment note)	\$1,700
Data Conversion Services (See Data Conversion note)	\$30,000
Installation and Training (Includes 9 days on site - see Installation & Training note)	\$33,281
First Year Support and Updates	\$2,325
RIMS Computer-Aided Dispatch Software [Not Included]	N/A
RIMS E911 Link Software [Not Included]	N/A
RIMS InCustody Jail Management Software [Not Included]	N/A
Citizen RIMS Public Access Software [Not Included]	N/A
iRIMS Browser Access to RIMS Software [Not Included]	N/A
RIMS Officer Training Software [Not Included]	N/A
RIMS Fire Station Printing Software [Not Included]	N/A
RIMS Fire Records Management Link Software [Not Included]	N/A
RIMS AFIS Link Software [Not Included]	N/A
RIMS Text Paging Link Software [Not Included]	N/A
RIMS Alarm Panel Link Software [Not Included]	N/A
RIMS AutoCite Link Software [Not Included]	N/A
RIMS CopLogic Link Software [Not Included]	N/A
RIMS CopLink Link Software [Not Included]	N/A
RIMS ProQ&A Link Software [Not Included]	N/A
California Sales Tax	\$148
TOTAL	\$82,958



Sun Ridge Systems, Inc.

To: Chief Brett Smith for the, Rio Dell Police Department
From: Carol Jackson
Subject: Quotation for RIMS Software
Date: February 14, 2018

The following is a quotation for RIMS software based upon your recent request.

As priced, this configuration would utilize our multi-agency CAD in which there is one CAD database on which all agencies' incidents are recorded. CAD data can be separated by agency for reporting purposes. Each agency has its own records database, but people and vehicle data is kept on a single database and used by all. The price of RMS, Property Room and Collaborate are included below while all other product prices, and the annual support for these products, reflect a 100% multi-agency discount.

Item	Price
RIMS Records Management Software	\$24,000
RIMS Mobile Computer Software	\$0
RIMS State Link Software (CLETS)	\$0
RIMS In Station Mapping Software (See Mapping note)	\$0
RIMS Mobile Mapping Software (See Mapping note)	\$0
RIMS Property Room Bar Coding Software	\$3,000
RIMS Collaborate Data Sharing Software	\$3,000
Worth Data Bar Coding Equipment (See Bar Coding Equipment note)	\$1,700
Data Conversion Services (See Data Conversion note)	\$30,000
Installation and Training (Includes 8 days on site - see Installation & Training note)	\$34,129
First Year Support and Updates	\$4,500
<i>RIMS Computer-Aided Dispatch Software [Not Included]</i>	N/A
<i>RIMS E911 Link Software [Not Included]</i>	N/A
<i>RIMS InCustody Jail Management Software [Not Included]</i>	N/A
<i>Citizen RIMS Public Access Software [Not Included]</i>	N/A
<i>iRIMS Browser Access to RIMS Software [Not Included]</i>	N/A
<i>RIMS Officer Training Software [Not Included]</i>	N/A
<i>RIMS Fire Station Printing Software [Not Included]</i>	N/A
<i>RIMS Fire Records Management Link Software [Not Included]</i>	N/A
<i>RIMS AFIS Link Software [Not Included]</i>	N/A
<i>RIMS Text Paging Link Software [Not Included]</i>	N/A
<i>RIMS Alarm Panel Link Software [Not Included]</i>	N/A
<i>RIMS AutoCite Link Software [Not Included]</i>	N/A
<i>RIMS CopLogic Link Software [Not Included]</i>	N/A
<i>RIMS CopLink Link Software [Not Included]</i>	N/A
<i>RIMS ProQ&A Link Software [Not Included]</i>	N/A
California Sales Tax	\$148
TOTAL	\$100,481

ATTACHMENT
Budget
Agency Name

FERNDALE / RIO DELL P.D.'s

Invoice Date: _____

Invoice #MZ: _____

Invoice Period: _____

Descriptions	Amounts	Approved Budget	Remaining Balance
A. Personnel Costs			
<div> <div>Title:</div> <div>Salary and Benefits</div> <div>Calculation:</div> </div>			0.00
Duties Description:			
<div> <div>Title:</div> <div>Salary and Benefits</div> <div>Calculation:</div> </div>			0
Duties Description:			
<div> <div>Title:</div> <div>Salary and Benefits</div> <div>Calculation:</div> </div>			0
Duties Description:			
<div> <div>Title:</div> <div>Salary and Benefits</div> <div>Calculation:</div> </div>			0
Duties Description:			
Total Personnel:		0.00	0.00
B. Operational Costs (Rent, Utilities, Phones, etc.)			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
Total Operating Costs:		0	0
C. Consumables/Supplies (Supplies and Consumables should be separate)			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
<div> <div>Title:</div> <div>Description:</div> </div>			
Total Consumable/Supplies:		0	0

ATTACHMENT
Budget
Agency Name

FERNDALE / RIO DELL P.D.s

Invoice Date: _____

Invoice # MZ- _____

Invoice Period: _____

Descriptions	Amounts	Approved Budget	Remaining Balance
--------------	---------	-----------------	-------------------

D. Transportation/Travel (Local and Out-of-County should be separate)

Title:			
Description:			
Title:			
Description:	SEE ATTACHED		
Title:			
Description:			

Total Transportation/Travel Costs: 0 0 0

E. Fixed Assets

Title:			
Description:			
Title:			
Description:			

Total Other Costs: 0 0 0

Invoice Total: 0.00



CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

(Advisory Committee will make recommendations to the Humboldt County Board of Supervisors as to expenditure of funds derived from *Measure Z*.)

APPLICATION FOR FUNDING

Agency Name: City of Rio Dell

Mailing Address: 675 Wildwood Avenue, Rio Dell, California 95562

Contact Person: Kyle Knopp

Title: City Manager

Telephone: 707-764-3532

E-mail address: knoppk@cityofriodell.ca.gov

1. AMOUNT OF MEASURE Z FUNDING REQUESTED FOR FY 2017-18: \$ 34,101

2. ENTITY TYPE -- Please check appropriate box.

- a. Humboldt County Department ☐
- b. Contract Service Provider to Humboldt County ☐
- c. Local Government Entity ☒
- d. Private Service Provider ☐
- e. Non-Profit Service Provider ☐
- f. Other ☐

3. Please provide brief description of proposal for which you are seeking funding.

The City of Rio Dell Proposes the continued funding of a part-time clerical support position in the Police Department for 28 hours a week to provide support for law enforcement services. This item was funded by Measure Z during the 2016-17 grant cycle. This grant allows our officers to spend more time responding to calls for service and be on active patrol, and is the only source of funding for clerical support. The position also allows for police department headquarters to remain open when officers are out on patrol. Currently, the Rio Dell Police Department is staffed by five (5) full-time sworn officers and one (1) part-time clerical assistant (funded through Measure Z). The position also enables a consistent flow of paperwork on nuisance and code enforcement issues, helping to clean up the community and prevent neighborly discord from becoming a larger issue for sworn law enforcement.

4. *Measure Z* funding is scheduled to "sunset" in 2020. How are you developing a plan for sustainability, including diversification of funding sources, in order for your proposal to carry on without reliance on future *Measure Z* funds?

The City of Rio Dell is looking to expand and diversify its tax base over the next five years. Central to this objective is the City's work to restructure its code enforcement program that is making major headway in cleaning up the town and addressing long-standing blight that is an obstacle to development. Work is underway to develop and emphasize economic development activities including micro-enterprise assistance and infrastructure related activities that enhance development potential that benefit both the City and the region as a whole. During 2016-2017 significant progress was made to facilitate commercial development at the north end of the community which we anticipate, will enhance the communities tax base. Economic development within the City is a crucial part of working towards sustainability, and public safety is the cornerstone to that development.

5. If this request is for the continuation, or expansion, of an existing program/service, what is the current source of funding for that program/service?

Clerical support for the Police Department for fiscal year 2016-2017 has been provided through *Measure Z* funding. Without *Measure Z* the Police Department wouldn't have the supportive assistance necessary to provide the enhanced customer and administrative services that are currently offered, which allows officers to remain in the field.

6. If you are awarded *Measure Z* funds, how will you use them to leverage additional grants, contributions, or community support?

Community support comes from the community's reliance on our Police Department to quickly respond to public safety calls and concerns. The Police Records Specialist I is available to immediately respond and refer community members and victims of crime to services and can make direct contact with sworn personnel. Currently, when officers are not present at the Police Department headquarters, victims of crime must use a call box to summon assistance. *Measure Z* funds would help mitigate that experience, allowing community members to get immediate assistance and allow officers to be in the field more often where they are more effective in making the community safe.

7. Will this proposal require new or expanded activity on the part of another entity to be fully functional and effective? If so, please describe.

No, this proposal does not require any activity on the part of another entity. It is believed the additional support to our officers will ultimately lower levels of crime in the City and subsequently lower the level of activity required of allied agencies and partners.

ATTACHMENTS—Please include the following with your application

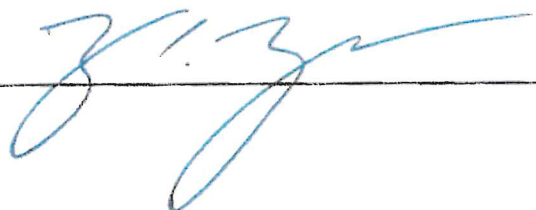
Proposal Narrative: Brief description of your request for *Measure Z* funds – Please explain how it is an essential service or for public safety. (one page maximum)

Prior Year Results: If your request is a continuation of a program funded with *Measure Z* in prior fiscal years, please provide the results of implementation. (one page maximum)

Program Budget

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: 2/16/2017

SIGNATURE: 

SUBMIT THIS APPLICATION TO:

Humboldt County Citizens' Advisory Committee on *Measure Z* Expenditures
c/o County Administrative Office
825 Fifth Street, Suite 111
Eureka, CA 95501-1153.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: knoppk@cityofriodell.ca.gov



Humboldt County Citizens' Advisory Committee on Measure Z Expenditures
c/o County Administrative Office
825 5th Street, Suite 111
Eureka, California 95501-1153

Dear Members of the Advisory Committee,

The City of Rio Dell respectfully submits this proposal narrative for your consideration for Measure Z funding. The two (2) proposals are connected to two very important objectives for the City of Rio Dell: Enhanced public safety services and economic development. We believe that public safety and economic development go hand in hand.

Public safety has already been greatly enhanced with the addition of an administrative support staff person in the Police Department through Measure Z funding for FY 2016-2017. While the administrative support staff has enhanced our code enforcement efforts and made a significant positive impact at our front counter, we believe the addition of a Code Compliance/Animal Control Officer would make an even greater, positive impact on the community. Moreover, this addition would complement the Police Department because the goal of making our streets safer becomes more realistic when sworn officers can remain on patrol in the street. If funding is granted for these two positions officers will be able to focus on the duties that their positions are intended: public safety and lessening the deleterious effects of crime. Furthermore, the addition of a Code Compliance/Animal Control Officer provides a strong resource in working towards the City's long-term goal of becoming an economically sustainable position through continued perseverance of our vision of building a safe, healthy, and economically viable City. We believe this also has a positive impact on the county as a whole given our position along the US 101 corridor as a "gateway" to northern Humboldt as people travel from the south.

The City needs your help in solidifying the vision of creating a safer community and building economic sustainability. These objectives are the sole purpose for the City's proposals that are as follows:

1. \$34,101 for a part-time Police Records Specialist I that will free up the valuable time of the City's five sworn officers
2. \$76,741 for a full-time, benefitted Code Compliance/Animal Control Officer that will free up time that sworn officers spend on animal control, code enforcement activities, and administrative-type tasks.

These two positions to our Police Department is in direct line with the overall goals that Measure Z was built: "To provide the funds necessary for expanding patrols, maintaining emergency response times, and making sure calls about violent or property crimes are responded to promptly." Additionally, the proposals have an added value of economic sustainability that can serve as a means to continue to support these two positions when Measure Z sunsets in 2020.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle Knopp".

Kyle Knopp
City Manager, City of Rio Dell

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



February 14, 2017

TO: Humboldt County Citizens' Advisory Committee on Measure Z Expenditures

FROM: Kyle Knopp, City Manager *[Signature]*

SUBJECT: **Prior Year Results:** Measure Z and the City of Rio Dell's part-time clerical support position in the Police Department.

Since the beginning of this funding cycle for Measure Z (July 1, 2016) until the present we have a total of 60 code enforcement cases with nearly half (28) resolved, and we anticipate the resolution of some of our more significant cases this year. We are on track to handle in excess of 100 complaints and intend on resolving a majority of them.

More significantly officers in the field handled 691 incident reports and 1824 Calls for Service during 2016 as compared to 531 Incident Reports and 1800 Calls for Service in 2015. While there are multiple factors for the increased performance by sworn officers, one of those factors is certainly the ability to spend more time in the field rather than in the office handling administrative tasks.

While it is not statistically measurable many citizens commented on how pleased they were to see officers in the field as well as being pleased with having service at the police department during business hours.

Budget
City of Rio Dell Police Department

Date: 2/15/17

Descriptions	Amounts	Approved Budget	Remaining Balance
A. Personnel Costs			
Title: Police Records Technician Salary and Benefits Calculation: 1,456 hours x (\$17.94 max hourly wage + 3.33 add'l payroll costs) Performs a variety of general clerical and customer services duties involved in the maintenance, processing, and distribution of police records; serves as call-taker and/or assists in dispatching units.	30,969.12		(30,969.12)
Title: Salary and Benefits Calculation: Duties Description:			0.00
Title: Salary and Benefits Calculation: Duties Description:			0
Title: Salary and Benefits Calculation: Duties Description:			0
Total Personnel:		30,969.12	8.00 (30,969.12)
B. Operational Costs (Rent, Utilities, Phones, etc.)			
Title: Operational costs Variable operations services and supplies related to the addition of a Description: part-time Police Records Technician	1,633.00		(1,633.00)
Title: Description:			
Title: Description:			
Title: Description:			
Total Operating Costs:		1,633.00	0 (1,633.00)
C. Consumables/Supplies (Supplies and Consumables should be separate)			
Title: Description:			
Title: Description:			
Title: Description:			
Title: Description:			

Budget
City of Rio Dell Police Department

Date: 2/15/17

Descriptions	Amounts	Approved Budget	Remaining Balance
Total Consumable/Supplies:			
	0	0	0
D. Transportation/Travel (Local and Out-of-County should be separate)			
Title: Out of County Travel for training			
Description: Travel costs related to training for Police Records Technician	1,498.00		(1,498.00)
Title:			
Description:			
Title:			
Description:			
Total Transportation/Travel Costs:			
	1,498.00	0	(1,498.00)
E. Fixed Assets			
Title:			
Description:			
Title:			
Description:			
Total Other Costs:			
	0	0	0
Invoice Total:			
	34,100.12		

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: February 20, 2018
☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: February 13, 2018

Subject: Second reading and adoption of Ordinance No. 364-2018 amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code.

Recommendation:

That the City Council:

1. Open the public hearing, receive staff's report regarding amending Section 17.30.195 of Rio Dell Municipal Code, the City's Commercial Cannabis Cultivation Regulations; and
2. Discuss, Deliberate and Make a Motion and a Second; and
3. Take Public Comment; and
4. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
5. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
6. Adopt Ordinance No. 364-2018 amending the City's Commercial Cannabis Regulations to (1) allow Adult "A" cannabis activities; (2) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (3) incorporate definitions of State licensing types; and (4) to require all cannabis operators/licensees to hold a Medical or "M" type State license Receive staff's report regarding amending

Section 17.30.195 of Rio Dell Municipal Code, the City's Medical Cannabis Regulations; and

7. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background and Discussion

Staff introduced Ordinance No. 364-2018 at your meeting of February 6, 2018. The Ordinance amends the City's current commercial cannabis land use regulations. The proposed amendments would allow Adult "A" cannabis activities at the Humboldt Rio Dell Business Park,

At your meeting on January 16, 2018 the Council requested a Study Session with the Planning Commission to discuss the possible changes to the City's commercial cannabis regulations. Your Council and the Planning Commission met on January 23rd to discuss the possible changes and to hear from some of the stakeholders.

After a lengthy discussion, the Council and Commission made some suggestions, including requiring that all operators/licensees hold a Medical "M" State license, incorporating a preamble in the Ordinance regarding the City's desire to foster medicinal cannabis research and development and to incorporate definitions of the various State licensing types.

At the meeting of February 6th, the City Attorney recommended that the suggested language of sub-section (h) of Section 17.30.195(3) be struck and similar language incorporated in Section 17.30.195(7)(m). Below is a copy of the originally proposed language and the City Attorney's recommended language.

~~17.30.195(3)(h) With the exception of testing laboratories, all cannabis operators/licensees are required to hold a Medical or "M" type State license. Cannabis operators/licensees may hold an Adult or "A" type State license as well.~~

17.30.195(7)(m) Every person engaged in any commercial cannabis activity within the City of Rio Dell that applies for and is issued a State license type marked "A" for adult use under Section 26050(b) of the California Business and Professions Code shall also apply for and obtain, prior to engaging in activity permitted under the "A" type State license, a State license type marked "M" for medicinal use for the same type of commercial cannabis activity within the City. Any such person shall comply with Section 5025 of Title 16 of the California Code of Regulations. This provision shall not apply to persons possessing a State testing laboratory license

Your Council voted 4-1 with Council member Strahan dissenting to incorporate the City Attorney's recommendation and move the ordinance forward and schedule the approval and adoption of the amendments to the City's cannabis regulations.

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amended regulations are in the public interest in that (1) they are consistent with the new State regulations; (2) will allow for or facilitate additional jobs; and (3) will generate additional revenue through the voter approved cannabis excise taxes applied to the cannabis businesses at the Humboldt Rio Dell Business Park. Should the amendments not be approved, it was clear that some, possibly most of the developers would not be investing millions of dollars in the Community.

2. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

One of the primary purposes of the General Plan is to facilitate planned, orderly development and to promote economic development, and protect the public health, safety and welfare of the community. There are a number of policies which encourage a vibrant commercial community. The proposed minor amendments certainly increase the opportunity for economic development within the City. There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendments. Therefore, staff believes the proposed regulations are consistent with the General Plan.

3. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

Based on the minor nature of the proposed amendments, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments to the cannabis regulations will have a significant effect on the environment.

Attachments:

Attachment 1: Ordinance No. 364-2018 amending the City's Commercial Cannabis Regulations to (1) allow Adult "A" cannabis activities; (2) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (3) incorporate definitions of State licensing types; and (4) to require all cannabis operators/licensees to hold a Medical or "M" type State license

ORDINANCE NO. 364-2018



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE MEDICAL CANNABIS REGULATIONS, SECTION 17.30.195 RIO DELL MUNICIPAL CODE TO ELIMINATE THE REFERENCE TO MEDICAL OR MEDICINAL CANNABIS AND TO INCLUDE SOME NEW DEFINITIONS AND OTHER MINOR CHANGES CONSISTENT WITH THE NEW STATE REGULATIONS.

WHEREAS the City adopted the Medical Cannabis Land Use Ordinance (MCLUO) prior to the approval of Proposition 64, the Adult Use of Marijuana Act (AUMA); and

WHEREAS as a result of the passage of Proposition 64, the State eliminated the Medical Cannabis Regulation and Safety Act (MCRSA) and created the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS throughout the State municipalities and counties are or have amended their medical cannabis land use regulations to allow for Adult "A" cannabis activities consistent MAUCRSA; and

WHEREAS locally, Humboldt County, Eureka and Arcata are in the process of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities; and

WHEREAS the City Council discussed the possibility of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities at their meeting on January 16, 2018; and

WHEREAS the meeting was well attended by the stakeholders who basically stated that they needed access to the adult market in order to be competitive and successful in this new legal market; and

WHEREAS the City's current regulations limit opportunities for our local developers as identified below:

- Manufactures are restricted to purchase only Medicinal (M) raw materials. Most local farmers are focusing on the larger Adult (A) market.
- The approved testing lab (DigiPath) would be limited to testing only Medicinal (M) products. This only allows access to about 25% of the potential market.
- Processers and distributors would also be limited to processing and distributing Medicinal (M) products. Again that's only about 25% of the expected market.
- Nurseries, including tissue culture propagation would be limited to Medicinal (M) plants. The proposed nurseries would not be able to provide nursery stock to the regional farmers and to our local citizens who cultivate for their personal recreation use.
- Rio Dell is at a competitive disadvantage to not only other local jurisdictions, but jurisdictions and businesses up and down the State; and

WHEREAS the proposed changes are really minor in nature. Basically for the most part, staff is recommending that the reference to medical or medicinal cannabis be eliminated; and

WHEREAS there are also some new definitions and other minor changes consistent with the new State regulations; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS staff presented the Planning Commission with the proposed changes at their meeting of January 23, 2018; and

WHEREAS the Planning Commission recommended some minor changes to (1) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (2) incorporate definitions of State licensing types; and (3) to require all cannabis operators/licensees to hold a Medical or "M" type State license; and

WHEREAS cannabis operators/licensees may hold an Adult or “A” type State license as well; and

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the proposed amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed minor amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the proposed amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the City Council has determined that the proposed amendments are Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell:

1. Finds that the proposed amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the proposed amendments, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment; and
4. Approves and adopt Ordinance No. 364-2018 amending the Medical Cannabis Regulations, Section 17.30.195 Rio Dell Municipal Code to eliminate the reference to medical or medicinal cannabis and to include some new definitions and other minor changes consistent with the new State regulations.

BE IT FURTHER RESOLVED, that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1

Section 17.30.195 ~~Medical Cannabis~~ Commercial Cannabis Land Use Regulations

(1) Authority and Title

This Section shall be known as the ~~Medical Cannabis~~ Commercial Cannabis Land Use Ordinance (~~"MCCLUO"~~) (CCLUO), which provides for the regulation of Commercial Cultivation, Processing, Manufacturing ~~and~~ distribution and testing of cannabis ~~for medical use~~, as defined in this Code, located within the City of Rio Dell.

(2) Purpose and Intent

~~The purpose of this Section is to establish land use regulations concerning the commercial cultivation, processing, manufacturing and distribution of cannabis for medical use within the City of Rio Dell in order to limit and control such cultivation in coordination with the State of California in the implementation of the Medical Cannabis Regulation and Safety Act (MCRSA)(SB 643, AB 266, and AB 243 as adopted September 11, 2015, and approved by the Governor on October 9, 2015), so as to ensure the health and safety of employees, independent contractors, visitors to the area, neighboring property owners, and end users of medical cannabis; to protect the environment from harm to streams, fish, and wildlife; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes. It is intended to address the City of Rio Dell's prerogative to permit, and control commercial cultivation, processing, manufacturing and distribution of cannabis for medical cannabis as set forth in the MCRSA, including, but not limited to the provisions of Business and Professions Code Sections 19315, 19316, 19320, 19322, 19332, and 19360 and Health and Safety Code Section 11362.777, in conjunction with state licensing requirements, in order to protect the public health, safety, and welfare of the residents of the City of Rio Dell, and to reduce or eliminate any adverse environmental effects of existing commercial cannabis cultivation operations in the City of Rio Dell, and to prevent adverse environmental effects of any new commercial cannabis activities which may be permitted in the future in accordance with this Section and state law. This Section is not intended to supersede the provisions of Section 17.30.190 of the Rio Dell Municipal Code concerning cultivation of medical cannabis for personal use.~~

The City of Rio Dell is focused on the development of the medical cannabis industry in an effort to better understand the effects of the plant and its constituent elements on various diseases. We encourage the businesses within the industry to focus their efforts towards the medical market and actively seek businesses that conduct medical research as associated

with the cannabis industry. The efforts of the City to better understand the medical benefits of this plant will provide an environment in which research oriented businesses will thrive and encourage new and innovative researchers to locate in Rio Dell. In this light, the City of Rio dell envisions a future for the Humboldt Rio Dell Business Park as a research center for the cannabis industry.

The purpose of this Section is to establish land use regulations concerning the commercial cultivation, processing, manufacturing, distribution and testing of cannabis for medicinal or adult use in order to limit and control such activity.

These regulations are intended to ensure the public health, safety and welfare of residents of the City of Rio Dell, visitors to the City, persons engaged in regulated commercial cannabis activities including their employees, neighboring property owners, and end users of medicinal or adult use cannabis; to protect the environment from harm resulting from cannabis activities, including but not limited to residential neighborhoods, schools, commercial areas; to ensure the security of state-regulated medicinal or adult use cannabis; and to safeguard against the diversion of state-regulated medicinal or adult use cannabis for purposes not authorized by law. To this end, these regulations identify where in the City the various types of commercial cannabis activities can occur, and specify what type of permit is required, the application process and the approval criteria that will apply.

This Section is not intended to supersede the provisions of Section 17.30.190 of this Code concerning cultivation of medical marijuana for personal use by patients or caregivers, or contravene Section 17.30.235 of this code or the provisions of Health and Safety Code section 11357, 11358, 11362.1, 11362.2, or 11362.5 with respect to the possession or cultivation of limited amounts of cannabis for personal use by qualified patients or persons 21 years of age or older.

(3) Applicability and Interpretation

- (a) These regulations shall apply to the location and permitting of commercial cultivation, processing, manufacturing, ~~and~~ distribution and testing of cannabis ~~for medical use~~ in zoning districts within which such use is authorized, as specified in this Section.
- (b) The commercial cultivation, processing, manufacturing, ~~and~~ distribution and testing of cannabis ~~for medical use~~ within the jurisdiction of the City of Rio Dell shall be controlled by the provisions of this Section, regardless of whether those activities existed or occurred prior to the adoption of this Section.
- (c) Nothing in this Section is intended, nor shall it be construed, to exempt the commercial cultivation, processing, manufacturing, ~~and~~ distribution and testing of cannabis ~~for medical use~~, from compliance with all other applicable zoning, and land use regulations, as well as compliance with any applicable state laws.

- (d) Nothing in this Section is intended, nor shall it be construed, to exempt the commercial cultivation, processing, manufacturing, ~~and~~ distribution and testing of cannabis ~~for medical use~~, as defined herein, from any and all applicable local and state construction, electrical, plumbing, land use, water rights, waste water discharge, streambed alteration, or any other environmental, building or land use standards or permitting requirements.
- (e) Nothing in this Section is intended, nor shall it be construed, to preclude a landlord or property owner from limiting or prohibiting commercial cultivation, processing, manufacturing, ~~and~~ distribution and testing of cannabis ~~for medical use~~ on private property.
- (f) The definitions in this Section are intended to apply solely to the regulations in this section.
- (g) Notwithstanding the fact that Health and Safety Code Section 11362.777 declares that ~~medical~~ cannabis is an agricultural product for purposes of that Section and the ~~MCRSA~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), Business and Professions Code Section 19300, et. seq., the commercial cultivation of cannabis ~~for medical use~~ is a highly regulated specialty crop and cultivation and processing of that specialty crop shall not be allowed as a principal permitted use unless a Conditional Use Permit is first obtained from the City of Rio Dell, and the person engaged in such activity has obtained all state licenses and permits which may be required by the applicable state licensing authorities whenever such licenses become available.
- (h) With the exception of testing laboratories, all cannabis operators/licensees are required to hold a Medical or "M" type State license. Cannabis operators/licensees may hold an Adult or "A" type State license as well.

(4) Release of Liability and Hold Harmless

As a condition of approval for any Conditional Use Permit approved for the commercial cultivation, processing, manufacturing, testing, or distribution of cannabis ~~for medical use~~, as defined herein, the owner or permittee shall indemnify and hold harmless the City of Rio Dell and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by affected property owners or other third parties due to the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~ and for any claims brought by any person for problems, injuries, damages, or liabilities of any kind that may arise out of the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~.

(5) Violations, Penalties and Enforcement

All of the remedies provided for in this Section shall be cumulative and not exclusive of remedies available for violations under any other Section of the Rio Dell Municipal Code, State law, including without limitation the ~~MCRSA~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), and applicable federal law.

Any violation of this Section, including, but not limited to failure to obtain and maintain in good standing the required Conditional Use Permit specified in this Section, shall be, and the same hereby is declared to be, a public nuisance and unlawful and shall be subject to injunction, abatement or any other administrative, civil, or criminal remedy available to the City under the applicable state and City laws, including those set forth in Section 17.40.020 of the Rio Dell Municipal Code- and any or all of the following:

- (a) Such person shall be subject to summary or administrative abatement of the nuisance by the City, and be subject to fines, civil penalties, fees and costs, including reasonable attorney fees imposed by the City pursuant to the summary or administrative abatement procedures contained in the City Code or any other provisions of law;
- (b) Such person shall be guilty of a misdemeanor for each day such violation continues, and upon conviction thereof, shall be punished for each violation by a fine not to exceed one thousand dollars (\$1,000.00), or by imprisonment of not longer than six months, or both for each violation;
- (c) Such person shall be prosecuted in a civil action, criminal action, or both brought by the City. The City Attorney or other authorized legal representative may bring an action in a court of competent jurisdiction to enjoin or prosecute any nuisance violation of this chapter, or violation of any other ordinance of the City;
- (d) Each and every day that any such violation continues to exist shall constitute a continuing and separate offense.

(6) Definitions

“Area of Traditional Tribal Cultural Affiliation” means geographic areas of historic occupancy and traditional cultural use by local indigenous peoples (California Native American Tribes), as shown on the latest mapping prepared by the County of Humboldt Planning & Building Department, created from geographic information supplied by the Tribes of Humboldt County.

“Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be

discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. "Cannabis" also means cannabis as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. For the purpose of this section, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agriculture Code or Section 11018.5 of the Health and Safety Code.

"Cannabis Testing and Research Laboratories" means a facility, entity, or site that offers or performs tests of cannabis or cannabis products licensed by the State of California pursuant to Business and Professions Code section 26000, et. seq., and businesses and research institutions engaged in the research of cannabis, cannabis products, or devices used for the medicinal or adult use of cannabis products at which no commercial cannabis cultivation or distribution, manufacture, dispensing, or sale of medical cannabis occurs.

"Commercial Cannabis Activity" means any activity involving the cultivation, processing, distribution, manufacturing, testing, sale, or related activities, of cannabis for commercial purposes.

"Commercial Cannabis Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis ~~for medical use~~, including nurseries, that is intended to be transported, processed, manufactured, distributed, dispensed, delivered, or sold in accordance with the ~~Medical Cannabis Regulation and Safety Act (MCRSA) for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

"Cultivation Area" the area encompassed by the perimeter surrounding the area within which cannabis plants are cultivated. Where plants are cultivated in separated pots, beds or plots, the cumulative total surface area of all such pots, beds or plots, and the surface area underneath the maximum anticipated extent of vegetative growth of cannabis plants to be grown in separate pots, beds or plots, used in combination for a single permitted cultivation operation.

"Cultivation License Types" means the following types of State cultivation licenses:

(a) Specialty Cottage:

- (1) "Specialty Cottage Outdoor" is an outdoor cultivation site with up to 25 mature plants.
- (2) "Specialty Cottage Indoor" is an indoor cultivation site with 500 square feet or less of total canopy.
- (3) "Specialty Cottage Mixed-Light Tier 1 and 2" is a mixed-light cultivation site with 2,500 square feet or less of total canopy.

(b) Specialty:

- (1) "Specialty Outdoor" is an outdoor cultivation site with less than or equal to 5,000 square feet of total canopy, or up to 50 mature plants on noncontiguous plots.
- (2) "Specialty Indoor" is an indoor cultivation site between 501 and 5,000 square feet of total canopy.
- (3) "Specialty Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy.

(c) Small:

- (1) "Small Outdoor" is an outdoor cultivation site between 5,001 and 10,000 square feet of total canopy.
- (2) "Small Indoor" is an indoor cultivation site between 5,001 and 10,000 square feet of total canopy.
- (3) "Small Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy.

(d) Medium:

- (1) "Medium Outdoor" is an outdoor cultivation site between 10,001 square feet and one acre of total canopy.
- (2) "Medium Indoor" is an indoor cultivation site between 10,001 and 22,000 square feet of total canopy.
- (3) "Medium Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy.
- (e) "Nursery" is a cultivation site that conducts the cultivation of cannabis solely as a nursery.
- (f) "Processor" is a site that conducts only trimming, drying, curing, grading, packaging or labeling of cannabis and nonmanufactured cannabis products.

"Cultivation site" means the location or a facility where ~~medical~~ cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities, except where drying, curing, grading or trimming is otherwise prohibited.

~~“Dispensary” means a facility where medical cannabis, medical cannabis products, or devices (excluding pipes and water pipes) for the use of medical cannabis products are offered, either individually or in any combination, for retail sale.~~

“Distribution Facility” means the location or a facility where a person ~~licensed with a Type 11 license pursuant to the MCRSA~~ conducts the business of procuring ~~medical~~ cannabis from licensed cultivators or manufacturers for sale to licensed ~~dispensaries~~ retailers, and performs and coordinates the inspection, quality assurance, batch testing ~~by a Type 8 licensee~~, storage, labeling, packaging and other related processes, ~~prior to transport to licensed dispensaries~~ as well as transportation to or from other licensees.

“Distributor” means a State recognized Type 11 licensed person or entity that conducts the business of procuring cannabis from licensed cultivators and/or manufacturers for sale to licensed retailers, and performs and coordinates the inspection, quality assurance, batch testing and other related processes as well as transportation to and from other licensees.

“Distributor Transport Only” means a State recognized Type 13 licensed person or entity that conducts the business transportation of cannabis products between licensed cultivators, manufacturers and distributors. Does not transport cannabis goods to a retailer except for immature live plants and seeds being transported from a licensed nursery.

“Extraction” means a process by which cannabinoids are separated from cannabis plant material through chemical or physical means.

“Flowering” means that a cannabis plant has formed a mass of pistils measuring greater than one half inch wide at its widest point.

“Greenhouse” means a structure, primarily of glass or clear poly-film or polycarbonate plastic, in which temperature and humidity can be controlled for the cultivation or protection of plants.

“Health and Wellness Center” means an establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, therapeutic application and retail sales of **medical** cannabis products including oils, tinctures, sublingual’s, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles.

“Indoor” means indoor cultivation using exclusively artificial lighting or a combination of artificial lighting and natural sunlight in a building with a glass, polycarbonate plastic or similar roof.

“Kief” means means the resinous trichomes of cannabis that may accumulate in containers or be sifted from loose, dry cannabis flower with a mesh screen or sieve.

“Licensee” means a person issued a state license under the ~~MCRSA~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) to engage in commercial cannabis activity.

“Manufacturing Facility” means a process whereby the raw agricultural product is transformed into a concentrate, an edible product, or a topical product, and the production, preparation, propagation, or compounding of ~~medical~~ cannabis or ~~medical~~ cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

“Manufacturing License Types” means the following license types available from the California Department of Public Health (CDPH):

- (a) “Type P,” for entities that only package or repackage medical cannabis products or label or relabel the cannabis product container. Entities that engage in packaging or labeling of their own product as part of the manufacturing process do not need to hold a separate Type P license. For purposes of section 19328 of the Business and Professions Code, a Type P license shall be subject to the same restrictions as a Type 6 license.
- (b) “Type N,” for manufacturers that produce edible products or topical products using infusion processes, or other types of medical cannabis products other than extracts or concentrates, and that do not conduct extractions. For purposes of section 19328 of the Business and Professions Code, a Type N license shall be subject to the same restrictions as a Type 6 license.
- (c) “Type 6,” for extractions using mechanical methods or nonvolatile solvents as defined by Section 40100 of the California Code of Regulations. A Type 6 licensee may also conduct infusion operations, or packaging and labeling of its own cannabis products on the licensed premises, provided that the infusion method is noted on the application form and that the relevant information pursuant to subsection (b) of Section 40128 of the California Code of Regulations is provided to the Department.
- (d) “Type 7,” for extractions using volatile solvents as defined by Section 40100 of the California Code of Regulations. A Type 7 licensee may also:

(1) Conduct extractions using nonvolatile solvents or mechanical methods on the licensed premises provided that the extraction process is noted on the application

form and the relevant information is provided to the Department pursuant to subsection (b) of Section 40128 of the California Code of Regulations.

(2) Conduct infusion operations on the licensed premises, provided that the infusion method is noted on the application form and that the relevant information is provided to the Department pursuant to subsection (b) of Section 40128 of the California Code of Regulations.

(3) Conduct packaging and labeling of its own cannabis products.

“Microbusiness” means a State recognized Type 12 licensed facility host to several Commercial Cannabis Activities under a single license including cultivation on an area less than 10,000 square feet, distribution, manufacturing without use of volatile solvents, and retail sales.

“Mixed-Light” means cultivation of mature cannabis occurring in a greenhouse, hoop-house, glasshouse, conservatory, hothouse or other similar structure using ~~a combination of natural and supplemental artificial lighting at a maximum threshold as set forth in performance standards in Section 17.30.190(8) of this ordinance, or as to be determined by the Department of Food and Agriculture, whichever is less.~~ light deprivation and/or one of the artificial lighting models described below:

(1) “Mixed-light Tier 1” the use of artificial light at a rate of six watts per square foot or less;

(2) “Mixed-light Tier 2” the use of artificial light at a rate above six and below of equal to twenty-five watts per square foot.

“Nonmanufactured cannabis product” means flower, shake, kief, leaf and pre-rolls.

“Nursery” means a licensee that produces only clones, immature plants, seeds, and other agricultural products for retail or wholesale sale, used specifically for the planting, propagation, and cultivation of ~~medical~~ cannabis.

“Off-site Processing Facility” means the location or facility where cannabis is dried, cured, graded, trimmed, and/or packaged when conducted at premises separate from the cultivation site where the processed cannabis is grown and harvested.

“On-site Processing Facility” means the location or facility where cannabis is dried, cured, graded, trimmed, and/or packaged by or under the control of one or more licensed cultivators, when conducted at the same premises or Parcel which is host to the cultivation site(s) where the cannabis is grown and harvested.

“Outdoor” means outdoor open-field (not in a greenhouse) cultivation using no artificial lighting. Outdoor cultivation as defined herein is not allowed in the City of Rio Dell.

“Person” means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit and includes the plural as well as the singular number.

“Premises” means a legal parcel compliant with the Subdivision Map Act, or a leasehold interest in agricultural land for agricultural purposes of outdoor or mixed-light cultivation or processing of ~~medical~~ cannabis, or space in an industrial or commercial building for purposes of indoor cultivation, processing, manufacture, or distribution of ~~medical~~ cannabis.

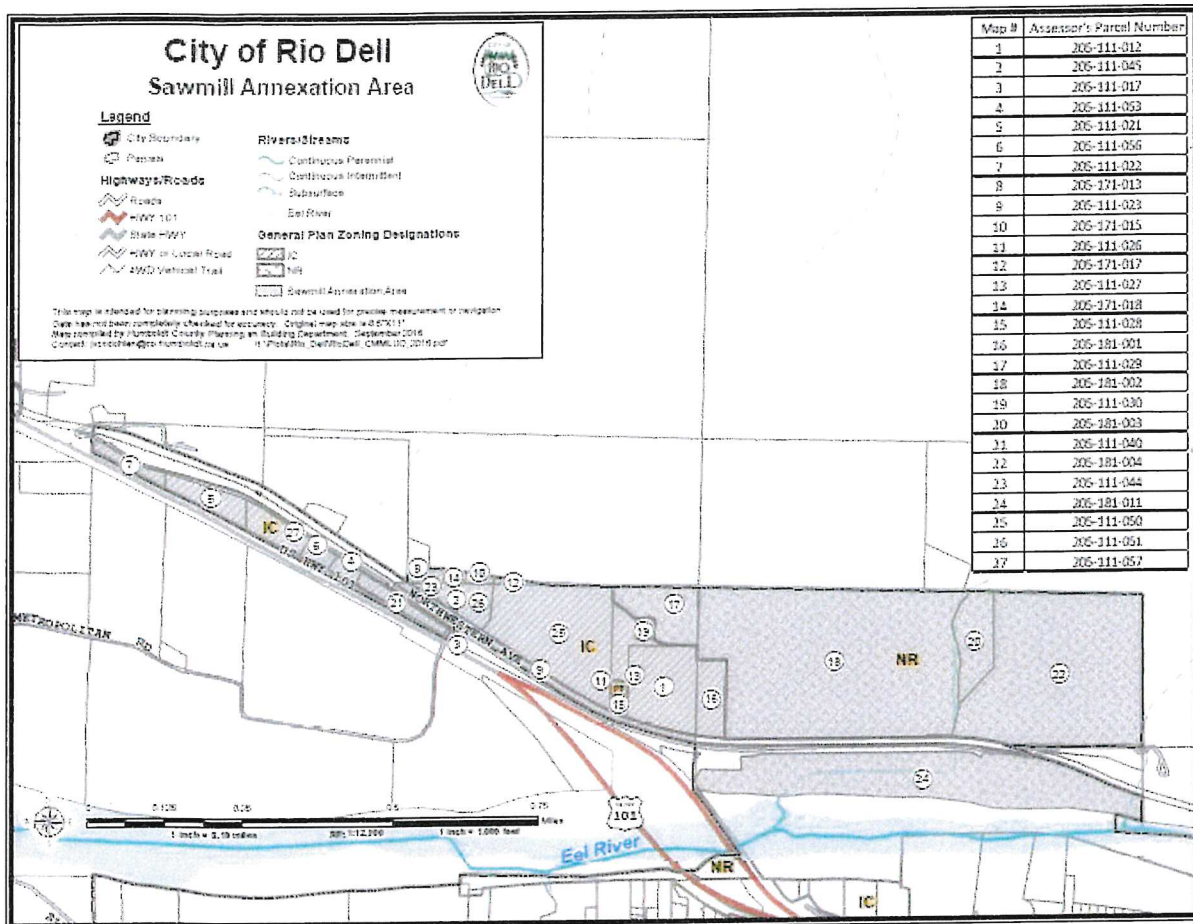
“Pre-roll” means nonmanufactured cannabis products(s) rolled in paper.

“Process”, “Processing”, and “Processes” means all activities associated with drying, curing, grading, trimming, storing, packaging and labeling of cannabis products.

“Processing Facility” means the location or facility where ~~medical~~ cannabis is dried, cured, graded, trimmed, and/or packaged. ~~by or under the control of one or more licensed cultivators, at a location separate from the cultivation site where the medical cannabis is grown and harvested.~~

“Propagation” means cultivation of immature, non-flowering cannabis plants.

“Sawmill Annexation Area” means the area north of the Eel River annexed into the City in 2008/2009, which area is shown on Figure 6-1, below.



**Figure 6.1
Sawmill Annexation Area**

“Renewable Energy Source” means electrical power provided by a renewable energy system and/or Grid Power, supplied from 100% renewable source.

“Renewable Energy System” means equipment for generating and supplying power without use of petroleum or other fossil fuels, and instead using appropriate technology including but not limited to: wind turbines, photovoltaic panels, and hydroelectric systems, in concert with private devices and systems for energy storage and distribution including batteries, grid intertie, or other means.

“Retailer” means a State recognized Type 10 licensed facility for the retail sale and delivery of cannabis to the public, whether for medicinal or adult use.

“Retailer Non-Storefront” means a State recognized Type 9 license for the retail sale and delivery of cannabis from a licensed premises that is not open to the public, whether for medicinal or adult use.

“State license” means a state license issued pursuant to the ~~MCRSA~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

“Testing Laboratory” means a State recognized Type 8 licensed facility, entity, or site in the state that offers or performs tests of ~~medical~~ cannabis or ~~medical~~ cannabis products ~~and that is both of the following: with an ISO/IEC 17025 accreditation or equivalent recognized by the state.~~

~~(1) Accredited by an accrediting body that is independent from all other persons involved in the medical cannabis industry on the state; and~~

~~(2) Registered with the Department of Public Health.~~

“Tribal Cultural Resources” means sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe, including unique archaeological resources and historical resources as described under sections 21074, 21083.2(g), and 21084.1 of the Public Resources Code, respectively. Tribal Cultural Resource shall also include sites or resources identified by the tribe through an action of the Tribal Council or equivalent body.

(7) General Provisions

This section applies to all cannabis related facilities and activities involved in the Commercial Cultivation, Processing, Manufacturing, Health and Wellness Centers, Testing or Distribution of cannabis ~~for medical use~~, as defined in this Section.

- (a) All cannabis related facilities and activities, including commercial cultivation, processing, manufacturing, Health and Wellness Centers, testing, or distribution of cannabis ~~for medical use~~ shall operate in compliance with this Section, as well as all applicable state and local laws and conditions as deemed appropriate by the Planning Commission and/or the City Council.
- (b) Greenhouse and Mixed-Light commercial cultivation of cannabis ~~for medical use~~ shall be conducted entirely within a fully enclosed, secure and lockable greenhouse and shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area, pursuant to the “Greenhouse” and “Mixed-Light” parcel size and cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.

- (c) Indoor commercial cultivation of cannabis ~~for medical use~~ shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area pursuant to the "Indoor" parcel size and cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (d) Processing Facilities accessory and appurtenant to on site cultivation for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (e) Stand alone, independent Processing Facilities for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation zoning district located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (f) Extraction manufacturing of commercial cannabis concentrates ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (g) Manufacturing of edibles (commercial kitchens) ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC), designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (h) Wholesale Distribution Facilities for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (i) Nurseries, as defined herein, producing commercial cannabis nursery products for retail sale, bulk wholesale sale or to supply retail nursery outlets shall be a conditionally permitted use in the Industrial Commercial (IC) and Natural Resources (NR) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the

conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.

- (i) Testing laboratories as herein defined shall be conditionally permitted in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (j) Other than as enumerated in this Section, the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~ in any other zoning district in the City of Rio Dell is prohibited.
- (k) Health and Wellness Centers as herein defined are allowed in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council. No more than one (1) Health and Wellness Center administering therapeutic application and retail sales of **medical** cannabis products, including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles shall be allowed.
- (l) The fact that an applicant possesses other types of state or county or city permits, licenses or other entitlements does not exempt the applicant from the requirement of obtaining a Conditional Use Permit from the City of Rio Dell to engage in the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~ within the jurisdiction of the City.

~~(l) No more than four commercial cannabis activity permits of any type enumerated in Sections 17.30.195(8)(b) through 17.30.195(8)(g) of this ordinance may be issued to a single person, as defined herein. For purposes of this limitation, any natural person who owns or controls any interest, directly or indirectly, in a firm, partnership, joint venture, association, cooperative, collective, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, shall be collectively considered a single person with those entities.~~

(m) Every person engaged in any commercial cannabis activity within the City of Rio Dell that applies for and is issued a State license type marked "A" for adult use under Section 26050(b) of the California Business and Professions Code shall also apply for and obtain, prior to engaging in activity permitted under the "A" type State license, a State license type marked "M" for medicinal use for the same type of commercial cannabis activity within the City. Any

such person shall comply with Section 5025 of Title 16 of the California Code of Regulations.
This provision shall not apply to persons possessing a State testing laboratory license

(8) Cultivation, Locations, Parcel Sizes and Allowable Canopies

The commercial cultivation of cannabis ~~for medical use~~ within the City shall be located in the Sawmill Annexation area in accordance with the following table:

Table 8.1
Cultivation Locations, Parcel Sizes and Allowable Canopies

Greenhouse & Mixed-Light Cultivation
Industrial Commercial (IC) and Natural Resources (NR) Designations

State License Type	Cultivation Type	Parcel Size	Allowable Canopy
Type 1 & 1B, <u>Specialty</u>	Greenhouse & Mixed Light	< 1 acre	1,000 sq. ft.
		1-2.49 acres	2,000 sq. ft.
		2.5-4.99 acres	5,000 sq. ft.
Type 2 & 2B, <u>Small</u>	Greenhouse & Mixed Light	5.0- 19.99 acres	10,000 sq. ft.
Type 3 & 3B, <u>Medium</u>	Greenhouse & Mixed Light	≥ 20 acres	22,000 sq. ft.

Indoor Cultivation
Industrial Commercial (IC) Designations

State License Type	Allowable Canopy
Type 1A, "Specialty Indoor"	5,000 sq. ft.
Type 2A, "Small Indoor"	10,000 sq. ft.
Type 3A, "Indoor"	22,000 sq. ft.

Indoor Cultivation
Natural Resources (NR) Designations

State License Type	Parcel Size	Allowable Canopy
Type 1A , "Specialty Indoor"	< 1 acre	1,000 sq. ft.
	1-1.99 acres	2,000 sq. ft.
	2.0-4.99 acres	5,000 sq. ft.
Type 2A , "Small Indoor"	5.0- 9.99 acres	10,000 sq. ft.
Type 3A , " <u>Medium</u> Indoor"	≥ 10 acres	22,000 sq. ft.

Nurseries
Industrial Commercial (IC) and Natural Resources (NR) designations

State License Type	Parcel Size	Allowable Canopy
Type 4, "Nursery"	N/A	<u>N/A</u> 43,560 sq. ft. State Limit

- (a) Processing of cannabis that is cultivated pursuant to these regulations may occur at the cultivation site subject to the Processing Performance Standards and Employee Safety Practices enumerated in Section 17.30.195(10) thru 17.30.195(13) are met.
- (b) Multiple applicants may obtain a Conditional Use Permit for greenhouse cultivation, mixed-light cultivation, or both, on one legal parcel so long as the cumulative cultivation area is within one contiguous cultivation footprint that does not exceed the total cultivation area size limits set forth in Table 8.1, Cultivation Locations, Parcel Sizes and Allowable Canopies.
- (c) A combination of cultivation types may be allowed in the same zone (e.g. greenhouse and, mixed light cultivation, or indoor cultivation and processing) that are for a total area equal to or less than the cultivated area size limit for the size of the underlying parcel.

(9) Application Requirements for All ~~M~~CCLUO Conditional Use Permits:

- (a) A completed standard application form for a Conditional Use Permit with the required ~~deposit~~ fee.
- (b) If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement.

- (c) A **Site Plan** shall be submitted showing the entire parcel with dimensions, including easements, existing and proposed buildings, parking and loading facilities, landscaping, trash and recycling facilities, stormwater facilities, including retention/detention facilities streams and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. ~~The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 1000 feet.~~ The plan shall be drawn to scale.
- (d) Floor Plans shall be submitted for existing and proposed buildings with dimensions and labeling identifying uses within the building(s). The plans shall be drawn to scale.
- (e) A **Plan of Operations** shall be submitted that includes, describes and addresses the following:
- (i) A complete project description including the proposed use(s), hours and days of operation, number of employees, and the duration (temporary, seasonal or permanent) of the operation.
 - (ii) The number of daily and/or weekly incoming and outgoing deliveries
 - (iii) A Security Plan that addresses the cultivation, storage, processing, manufacturing and testing of any ~~medical~~ cannabis, including but not limited to video monitoring and commercial alarm systems.
 - (iv) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
 - (v) A description of the storage or use of any solvents, fertilizers, pesticides, fungicides, rodenticide, or herbicides.
 - (vi) A description of any discharge or emissions the operation will generate.
 - (vii) A description of any noise level increase as a result of the operation.
 - (viii) A description of the operation's use of public facilities such as roads, water or sewer systems.

(ix) A description of any proposed water source, storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection.

~~(e)~~ **(f)** A **Security Plan** shall be submitted that includes, describes and addresses the following:

(i) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 240 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

(ii) The facility shall be alarmed with an audible interior and/or exterior silent alarm system that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the ~~medical~~ cannabis facility's security company shall be provided to the City Manager or designee.

~~(f)~~ **(g)** **Tribal Consultation:** For any ground disturbing activities, acknowledge that the City will consult with the local Wiyot Tribe, including their Tribal Historic Preservation Officer (THPO) or other tribal representatives, before the approval of any Conditional Use Permit. During this process, the tribe may request that operations associated with the Conditional Use Permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern.

~~(g)~~ **(h)** **Community Relations:** Each ~~medical~~ cannabis facility shall provide the City Manager or designee with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom the City can provide notice if there are operating problems associated with the ~~medical~~ cannabis facility or refer members of the public who may have any concerns or complaints regarding the operation of the ~~medical~~ cannabis facility. Each ~~medical~~ cannabis facility shall also provide the above information to its business neighbors located within 300 feet of the ~~medical~~ cannabis facility.

~~(h)~~ **(i)** Consent to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday,

9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

(i) (j) Owner(s) or employee(s) who makes or will make operational or management decisions that directly impact the business shall consent to a background check pursuant to Section 19322(a)(1)(A) of the Business and Professions Code, including submitting to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of State or Federal convictions and arrests, and information as to the existence and content of a record of State and Federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal. The applicant shall be responsible for the costs associated with the required background check.

(i) No Owner or employee who makes or will make operational or management decisions that directly impact the business shall have been convicted of an offense, or is currently free on bail or on his or her own recognizance pending trial or appeal for an offense, that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, including but not be limited to, the following:

- (A) A felony conviction for the illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance;
- (B) A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
- (C) A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
- (D) A felony conviction involving fraud, deceit, or embezzlement.

(j) (k) Compliance with the provisions of the ~~Medical Cannabis Regulation and Safety Act~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), all applicable state laws and City ordinances.

(k) (l) ~~Inventory Tracking System. All permittees shall purchase, implement and maintain updates to the inventory tracking software from the City's inventory tracking software system (ITSS) provider. A permittee must have at least one individual Owner or contractor who successfully completes all training necessary to properly use the ITSS as a System Administrator. The System Administrator may also designate specific inventory tracking system user(s) that have successfully completed all ITSS training required to access the~~

~~system under the direct control of the System Administrator. The System Administrator and any designated users shall participate in all ongoing and continuing training as required to stay current with the software.~~

~~(i) Inventory Tracking. Permittees shall, at all times, maintain current inventory information on the City's ITSS.~~

All permittees subject to state licensure shall participate in local and state programs for "Track and Trace", once available.

(m) Notification to State Licensing Authorities: The City shall notify the appropriate state licensing authority whenever a Conditional Use Permit has been revoked or terminated following the expiration of any appeal period, or if an appeal has been filed, following the final determination of the appeal.

(n) The operator of the permitted facility shall maintain valid license(s) issued by the appropriate state licensing authority or authorities as provided in MAUCRSA for the type of activity being conducted, as soon as such licenses become available.

(o) All operators shall maintain a current, valid business license at all times.

(10) Performance Standards for all ~~MAC~~LUO Cultivation Operations:

- (a) No surface water withdrawals shall be allowed as part of any cultivation operations.
- (b) No Timberland Conversion Permits or Exemptions as approved by the California Department of Forestry and Fire Protection (CAL-FIRE) shall be used to facilitate the cultivation of ~~medical~~ cannabis.
- (c) The area of cannabis cultivation shall be located as shown on the application site plan, set back at least 50 feet from any property line in the Natural resource (NR) zone and 1000 feet from any School. Cannabis cultivation is declared to be development, subject to compliance with Section 17.30.110, Environmentally Sensitive Habitat Area's (ESHA's). For purposes of this section, where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and the RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to Section 17.30.110.
- (d) Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the City of Rio Dell or other responsible agency.

- (e) For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023, is required by that Order, compliance with the standard conditions applicable to all Tier 1 dischargers.
- (f) The storage or use of any fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be in compliance with the manufacture's recommendations and regulations administered by the State Department of Pesticide Regulation. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).
- (g) Trucked water shall not be allowed as the primary water source. Water is to be sourced locally (on-site), except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate action."
- (h) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.
- (i) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- (j) Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.
- (k) Generators are only allowed as an emergency back-up power source. The noise produced by a generator used for cannabis cultivation shall not be audible from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels.
- (l) Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

(m) Electricity for Indoor and Mixed Light cultivation activities shall be provided by any combination of the following:

(i) On-grid power with 42 percent renewable source.

(ii) Onsite zero net energy renewable source providing 42 percent of power.

(iii) Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.

(iv) Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.

(n) Comply with all federal, state, and local laws and regulations applicable to California Agricultural Employers, including those governing cultivation and processing activities.

~~(m)~~ (o) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

~~(11) Employee Performance Standards for Cultivation and Processing Activities:~~

~~(a) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."~~

~~(b) Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA and the California Agricultural Labor Relations Act.~~

~~(c) Cultivators engaged in processing shall comply with the following Processing Practices:~~

~~i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment; and~~

- ~~ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis; and~~
 - ~~iii. Employees handling cannabis in processing operations must have access to facemasks, coveralls and gloves in good operable condition as applicable to their job function; and~~
 - ~~iv. Employees must wash hands sufficiently when handling cannabis or use gloves.~~
- ~~(d) All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:~~
- ~~i. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:~~
 - ~~• Emergency action response planning as necessary; and~~
 - ~~• Employee accident reporting and investigation policies; and~~
 - ~~• Fire prevention;~~
 - ~~• Hazard communication policies, including maintenance of material safety data sheets (MSDS); and~~
 - ~~• Materials handling policies; and~~
 - ~~• Job hazard analyses; and~~
 - ~~• Personal protective equipment policies, including respiratory protection.~~
 - ~~ii. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:~~
 - ~~• Operation manager contacts; and~~
 - ~~• Emergency responder contacts; and~~
 - ~~• Poison control contacts.~~

~~iii. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.~~

~~iv. On site housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.~~

~~(e) All cultivators shall, at the time of the application for a cultivation permit, include a Processing Plan with all of the following:~~

~~i. Summary of Processing Practices.~~

~~ii. Description of location where processing will occur.~~

~~iii. Estimated number of employees, if any.~~

~~iv. Summary of Employee Safety Practices.~~

~~v. Description of toilet and handwashing facilities.~~

~~vi. Description of plumbing and/or septic system and whether or not the system is capable of handling increased usage.~~

~~vii. Description of source of drinking water for employees.~~

~~viii. Description of increased road use resulting from processing and a plan to minimize that impact.~~

~~ix. Description of on-site housing, if any.~~

~~(12)~~ (11) Performance Standards for Manufacturing Activities:

(a) Compliance with CAL/OSHA, OSHA regulations.

(b) Compliance with State and local building regulations, including the California Building Code (CBC) and the California Fire Code (CFC).

(c) A Security Plan that addresses how the following measures shall be implemented or complied with:

- (i) Entrance to the extraction areas and any cannabis storage areas shall be locked at all times, and under the control of facility staff.
 - (ii) ~~Medical~~ eCannabis shall be stored in buildings that are completely enclosed, and in a locked vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
 - (iii) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the Code.
- (d) If using CO₂ in processing, a professional grade closed-loop CO₂ gas extraction system rated to a minimum of fifteen thousand (15,000) pounds per square inch (PSI) is required for every vessel in the system.
 - (e) Extraction processes shall use a commercially manufactured professional grade closed-loop extraction system designed to recover the solvents and built to codes of recognized and generally accepted sound engineering practices, such as (i) The American Society of Mechanical Engineers (ASME); (ii) American National Standards Institute (ANSI); (iii) Underwriters Laboratories (UL); or (iv) The American Society for Testing and Materials (ASTM).
 - (f) Volatile extraction operations shall occur in a spark-proof, explosion-proof room equipped with evacuation fans and lower explosive limit (LEL) detectors.
 - (g) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties.
 - (h) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
 - (i) Manufacturers of edibles shall comply with the regulations in the California Health and Safety Code, which includes the California Retail Food Code administered by the California Department of Health Services - Food and Drug Branch, California Department of Food and Agriculture and the County Department of Environmental Health.
 - (j) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

~~(13)~~ (12) Performance Standards for Testing Laboratories

- (a) Entrance to the lab area and any cannabis storage areas shall be locked at all times, and under the control of facility staff.
- (b) ~~Medical~~ ~~e~~Cannabis shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
- (c) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the California Building Code.
- (d) All laboratory testing facilities shall comply with Sections 19341 through 19345 of the California Business and Professions Code.
- (e) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

(13) Performance Standards for Health and Wellness Centers

- (a) Health and Wellness Centers shall not sell or distribute cannabis flowers, trim, leaf or cannabis infused edibles.
- (b) The facility shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the Planning Commission that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the medical marijuana facility's security company shall be provided to the City.
- (c) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.
- (d) Entrance to the any medical cannabis products storage areas shall be locked at all times, and under the control of facility staff.

- (e) Medical cannabis products shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
- (f) The sale of any medical cannabis products shall be limited to qualified patients, as defined in Section 11362.7 of the Health and Safety Code.
- (g) Medical cannabis may not be inhaled, smoked, eaten, ingested, vaped, or consumed at the premises and/or location.
- (h) The sales of pipes, including water pipes and other paraphernalia are prohibited.

(14) Term of Conditional Use Permit.

Any Conditional Use Permit issued pursuant to this section shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless the required compliance inspections have been conducted and the permitted site has been found to comply with all conditions of approval and the renewal fee and operation fee submitted.

- (a) Permit Renewal. A Permit renewal application, renewal fee and operating fee must be submitted at least forty-five (45) days before the expiration of the Permit. Failure to submit a renewal application prior to the expiration date of the license will result in the automatic expiration of the Permit on the expiration date. A Permit may not be renewed if any violations of or non-compliance with the Permit or these regulations exists. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure the new standards are met.

(15) Changes to Ownership or Modification to Premises.

A Conditional Use Permit is non-transferable to another location and no transfer to another Owner or modifications to a permitted facility may be made except in accordance with these regulations.

- (a) Transfer of Ownership. A request for change in Permit ownership shall be submitted to the City at least sixty (60) days prior to the anticipated transfer, together with the required fee. Requests submitted less than sixty (60) days before the transfer will be processed only in the City's discretion and may be subject to an expedited processing fee. A new Owner(s) shall meet all requirements for applicants of an initial permit. The request shall include the following information:

- i. Identify information for the new Owner(s) and management as required by the initial permit application, including names and contact information and Section 17.30.195(i) of the Rio Dell Municipal Code; and
 - ii. The specific date on which the transfer is to occur; and
 - iii. Acknowledgement of full responsibility for complying with the existing permit and any conditions attached thereto.
- (b) Modifications to the Facility. Prior to making any modifications to a permitted facility, the permittee shall submit to the City, at least thirty (30) days in advance of initiating the modifications, a request for determination of City approvals, together with the appropriate fee. The request shall contain a detailed description to allow the City to determine what, if any permits and/or other approvals are needed.

(16) Inspections

Each permitted activity is subject to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

If the inspector or other City official determines that the site does not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Conditional Use Permit and License, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

(17) Appeal of Inspection Determination

Within ten (10) business days after delivery of the statement of non-compliance, the determination by the inspector that the site is or is not in compliance may be appealed by any interested party to the Planning Commission. The appeal shall be made, in writing, on a form

provided by the City. The fee for filing the appeal is based on the adopted fee schedule in effect at the time of the appeal.

- (a) The appeal shall be heard by the Planning Commission within thirty (30) days following the filing of the appeal. The Planning Commission shall render a written ruling on the appeal within three (3) business days following the hearing.
- (b) The decision of the Planning Commission may be appealed to the City Council in accordance with Section 17.35.050 of the Rio Dell Municipal Code. If a timely appeal to the City Council is not filed, the ruling by the Planning Commission shall be final.

(18) Revocation by Operation of Law

Any Conditional Use Permit issued under this Section shall be revoked by operation of law, and without prior notice to the permit holder, in the event the permitted activity is made illegal under the laws of the State of California.

The City shall notify any state license authority, as defined by the ~~MCRSA~~ [Medicinal and Adult Use Cannabis Regulation and Safety Act \(MAUCRSA\)](#), whenever the Conditional Use Permit and License has been revoked or terminated.

(19) Fees, Taxes and Other Charges

The Council may establish fees, taxes or other charges for a commercial cannabis activity permit by resolution or ordinance. The failure to pay all applicable fees, taxes and other charges when due shall be a violation of the Section as contemplated by subsection 17.30.195(5), above.

Section 2. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 3. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 4. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), subject to Section 15061 of the CEQA

Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any significant impact to the environment would occur as a result of adoption of the Ordinance.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on February 6, 2018 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 20, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 364-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on February 20, 2018.

Karen Dunham, City Clerk, City of Rio Dell

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: February 20, 2018
☐ Consent Item; ☒ Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

A handwritten signature in black ink, appearing to be "KC", written over the name Kevin Caldwell.

Through: Kyle Knopp, City Manager

A handwritten signature in black ink, appearing to be "K", written over the name Kyle Knopp.

Date: February 14, 2018

Subject: Sign Regulations

Recommendation:

That the City Council:

1. Open the public hearing, receive staff's report regarding amending Section 17.30.195 of Rio Dell Municipal Code, the City's Commercial Cannabis Cultivation Regulations; and
2. Discuss, Deliberate and Make a Motion and a Second; and
3. Take Public Comment; and
4. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
5. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
6. Approve the recommended amendments and adopt Ordinance No. 362-2018 repealing the existing Sign and Nameplate regulations, Section 17.30.300 and the Outdoor Advertising regulations, Section 17.30.210 of the Rio Dell Municipal Code and establish new Sign and Nameplate regulations, Section 17.30.300; and
7. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of

the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background and Discussion

Staff presented the Planning Commission's recommendations regarding the sign regulations at your meeting of February 6, 2018. There was some discussion regarding the owner of the Gables motel requesting that two on building signs be allowed, the allowable size of signs in the Town Center zone and the size of freestanding signs in the Community Commercial and Industrial Commercial zones. The proposed revisions do allow two on building signs provided they do not exceed the overall size limits.

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed sign regulations are in the public interest in that they would allow signage in Town Center, Neighborhood Center and Industrial Commercial zones. In addition, the success of a business depends in part on the location and visibility, including signage. A vibrant commercial district is in the public's interest.

2. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

One of the primary purposes of the General Plan is to facilitate planned, orderly development and to promote economic development, and protect the public health, safety and welfare of the community. There are a number of policies which encourage a vibrant commercial community. Appropriate and visible signage is an important factor in the success of any business. There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendments. Therefore, staff believes the proposed regulations are consistent with the General Plan.

3. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

Staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a **significant** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments to the sign regulations will have a significant effect on the environment.

Attachments:

Attachment 1: Ordinance No. 362-2018 New Sign and Nameplate regulations, Section 17.30.300 the Rio Dell Municipal Code.

ORDINANCE NO. 362-2018



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE
SIGN REGULATIONS, SECTION 17.30.300 AND REPEALING THE OUTDOOR
ADVERTISING REGULATIONS, Section 17.30.210 OF THE RIO DELL MUNICIPAL
CODE:**

THE CITY COUNCIL OF THE CITY OF RIO DELL DOES ORDAIN AS FOLLOWS:

WHEREAS staff recently discovered what was believed to be an error in the existing sign regulations, Section 17.30.300 of the Rio Dell Municipal Code (RDMC); and

WHEREAS the City adopted the current zoning regulations in 2004 and the vast majority, including the sign regulations, of the adopted regulations were carried over from the original zoning regulations, Ordinance 59; and

WHEREAS staff discovered that appurtenant signs are restricted to the Community Commercial (CC) zone; and

WHEREAS the original sign provisions, Section 6.18 of the Rio Dell Municipal Code (RDMC) applied to all commercial zones and the Limited Industrial (M-L) zone; and

WHEREAS the 2004 amendments established the Town Center (TC) designation and replaced the Limited Industrial (M-L) zone with the Industrial Commercial (IC) zone; and

WHEREAS staff presented this information to the Planning Commission at the meeting of August 22, 2017. At that time Commissioner Marks informed staff and the rest of the Commission, that there was not in fact an error or oversight in carrying over the sign regulations to the Town Center and Neighborhood Center zones; and

WHEREAS the Town Center and Neighborhood Center zones were intentionally omitted due to concerns that the allowed size (up to 300 square feet) may be inappropriate in the Town Center and Neighborhood Center zones; and

WHEREAS staff has completely revised the existing Signs and Nameplate regulations, Section 17.30.300 of the Rio Dell Municipal Code; and

WHEREAS staff is recommending that Section 17.30.210, Outdoor Advertising (billboards), be eliminated because the proposed Sign and Nameplate regulations have been expanded to include billboards (Freeway Oriented Signs); and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rio Dell:

1. Finds that the proposed sign regulations amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the project, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment.
4. Approves and adopts Ordinance No. 362-2018 amending the sign regulations, Section 17.30.300 and repealing the Outdoor Advertising regulations, Section 17.30.210 of the Rio Dell Municipal Code.

BE IT FURTHER RESOLVED, that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1

Section 17.30.210 of the Rio Dell Municipal Code is hereby repealed.

Section 2

Section 17.30.300 is hereby amended as follow.

17.30.300 Signs and Nameplates

Sections:

17.30.300(1) Purpose and Applicability

17.30.300(2) Review of Signs

17.30.300(3) Exempt Signs

17.30.300(4) Prohibited Signs

17.30.300(5) Standards for Special Category Signs

17.30.300(6) General Development, Maintenance and Removal

17.30.300(7) Permitted Signs by Zoning Districts

17.30.300(8) Temporary and Special Event Signs

17.30.300(9) Nonconforming Signs

17.30.300(1) Purpose and Applicability:

This chapter establishes the regulation of signs as a way to:

(a) Encourage creative and innovative approaches to signage within the community that are of high quality design and character and contribute to the overall appearance of the community; and

(b) Encourage signage that is architecturally and cosmetically compatible with the surrounding area; and

(c) Enhance the overall property values in the city by discouraging signage that contributes to the visual clutter of the streetscape, such as oversized signs and excessive temporary signs; and

(d) Enhance aesthetic and traffic safety in the community by minimizing signage information to ensure that signage does not distract motorists, obstruct, or otherwise impede traffic circulation; and

(e) Safeguard and protect the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signage. The standards of this chapter apply to signs in all zoning districts. Only signage specifically authorized by this chapter shall be allowed.

17.30.300(2) Review of Signs:

(a) Permit Required: Except as otherwise provided in this chapter, no person shall erect, move, alter, replace, or maintain any sign without first obtaining zoning clearance (administrative plan check) to ensure compliance with applicable provisions of this chapter. (See Section [17.30.300\(3\)](#) of this chapter for exemptions.)

(b) Uniform Sign Program: A uniform sign program is intended to integrate design of signs with the design of the structures to achieve a unified architectural statement. Its purpose is ensuring design compatibility, not providing exemptions from the provisions of this chapter.

(c) Applicability: A uniform sign program shall be required whenever any of the following circumstances exists:

(i) New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities;

(ii) Whenever three (3) or more signs are requested by a single tenant in an existing multi-tenant project that is currently not covered by a uniform sign program; or

(iii) Whenever the City determines that a uniform sign program is appropriate in order to achieve the objectives of this title.

(d) Approval of A Uniform Signage Program: The hearing and approving body for all Uniform Signage Programs (USP) shall be the Planning Commission. The process for appealing the decision shall be consistent with Section [17.35.050](#).

(e) Standards: The uniform sign program shall include criteria for building attached signs for tenants, anchors, freestanding building signs and the integrated development itself to establish consistency of sign type, location, logo and/or letter height, lines of copy, illumination, construction details, and color and materials of signs for the project. All signs within the development shall be consistent with the USP.

(f) Revisions to a Uniform Signage Program: The Planning Director may approve revisions to a uniform signage program if the Director determines that the modifications are minor in nature

and do not change or modify the intent or conditions of the original approval. Revisions that would substantially deviate from the original approval (as determined by the Planning Director) shall require Planning Commission approval.

17.30.300(3) Exempt Signs:

Zoning clearance shall not be required for the signage listed in this section. Any exception to the limitations for exempt signage listed herein shall require a Variance pursuant to Section [17.35.020](#).

(a) Exempt Signage Without Limitations: The following signs are exempt from a sign permit and city review:

(i) Signs Within Buildings: Signs that are within buildings and are not visible from any point on the boundary of the property;

(ii) Official or Legal Notice: Official or legal notice required by a court or government agency (government/civic signs);

(iii) Signs Serving A Government Function: Signs erected and maintained in compliance with a government function or required by a law, ordinance, or government regulation, including signs erected by a public utility (government/civic signs);

(iv) Signs On Licensed Commercial Vehicles Prohibiting Outdoor Display Signs: Signs on licensed commercial vehicles, including trailers, that the vehicles/trailers shall not be used as parked/stationary outdoor display signs;

(v) Change of Copy: Change of copy that does not alter the size, location, or illumination of a sign;

(vi) Holiday Decorations: Holiday decorations that do not contain any commercial message shall be permitted. Such noncommercial signs shall be removed within seven (7) days following the holiday or event;

(vii) Signs Erected By Historical Agencies: Signs erected by recognized historical agencies that show names of buildings, dates of construction provided the sign is less than two (2) square feet in area.

(b) Exempt Signage with Limitations: The following signs are exempt from requirement for a sign permit and city review provided that they meet the size, height, duration, and/or maximum number limitations listed:

(i) Construction Signs: Construction signs not to exceed one sign per street frontage and a maximum of twenty (20) square feet in area or a maximum of thirty two (32) square feet if

combined with a future tenant sign. Construction signs may not be illuminated. Such signs shall be removed upon completion of the city's final building inspection. (See Section [17.30.300\(8\)](#), "Temporary And Special Event Signs", of this chapter.);

(ii) Directional Signs: Directional signs, on site, solely for guiding traffic, parking, and loading on private property, with no advertising. Copy shall be limited to the facility name and address, instructions, and directional arrows. Sign area shall not exceed twenty four (24) square feet in residential districts and thirty six (36) square feet in nonresidential districts. The maximum height for freestanding signs shall be six feet (6') unless the director allows additional height after determining that the visibility of a lower sign would be impaired. The area and number of directional signs do not count towards the total allowed as described in Section [17.30.300\(7\)](#), Table [17.30.300-7-1](#) of this chapter;

(iii) Flags: Flags of a nation, the state of California, other states of the nation, and municipalities;

(iv) Future Tenant Signs: Future tenant signs identifying or announcing the future use of a project while under construction. One sign shall be allowed per street frontage and the sign shall be removed upon occupancy of the site. In an integrated development, one sign per business is allowed. The maximum size of the sign shall be thirty two (32) square feet and the maximum height shall be six feet (6'). Future tenant signs may not be illuminated;

(v) Gas Pricing Signs: Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., provided the signs do not exceed three (3) square feet;

(vi) Garage, Yard, Estate, and Other Home Based Sales Signs: Sign advertising the one day sale of items from a garage, yard, estate, or other home based sale;

(vii) Incidental Signs: Incidental signs, with a maximum area of two (2) square feet per sign. The area and number do not count towards the total allowed as described in Section [17.30.300\(7\)](#), Table [17.30.300-7-1](#) of this chapter;

(viii) Menu/Order Board Signs: Menu/order board signs, as described herein and in subsection [17.30.300\(5\)\(d\)](#) of this chapter. A maximum of two (2) menu/order board signs shall be permitted for each drive-in or drive-through business, provided that each sign not exceed a maximum of forty (40) square feet in sign area and that each sign be limited in height to eight feet (8'). The area and number of menu/order board signs do not count towards the total allowed sign area;

(ix) Nameplates: Nameplates, as described below. Nameplates may only be lit by either an indirect light (i.e., porch light) source, low wattage spotlight without glare to the adjoining property, or internal light source with opaque (nontransparent) background.

(A) Residential, individual unit: Occupant name, street number, and street name signs not exceeding two (2) square feet in area per single-family or multi-family unit;

(B) Residential, multi-family site: Building number, building name, units located in the building, and other directional signs not exceeding fifteen (15) square feet in area;

(C) Nonresidential: Signs for commercial, office, and industrial uses not exceeding two (2) square feet, with copy limited to business identification, hours of operation, address, and emergency information;

(x) Noncommercial Signs: Noncommercial signs that are not located within or over a public right of way unless authorized pursuant to Section [17.30.300\(6\)](#) of this chapter, or over the roofline of any building and outside of any visibility triangle as follows:

(A) Non-illuminated Campaign Signs: Non-illuminated campaign signs are limited to the following:

- No more than four (4) square feet and 48 inches in height; and
- Signs may be erected not earlier than sixty (60) days prior to the election and shall be removed within ten (10) days following said election; and
- No more than 4 signs shall be allowed on any one parcel; and
- No sign may be placed on private property without the consent of the property owner; and
- Signs may be freestanding or attached to existing buildings or fences. However they are not permitted on street signs, trees, shrubs, bus stops, power poles, utility cabinets or other public appurtenances; and
- Signs may not be placed within 15 feet of any fire hydrant, street sign or traffic signal, or interfere with, confuse, obstruct or mislead traffic; and
- Signs may not be placed within a public right of way, nor within 30 feet of an intersection and no closer than 3 feet from the curb. Where no curb exists, signs shall be at least 5 feet from the edge of the pavement; and
- Homeowners are allowed to place political signs in the windows of their property; and

- Signs may not be illuminated, including motion and/or flashing lights, but may be placed where existing lighting may permit them to be seen at night.

(B) Political Event/Demonstration Signs: Political event and/or demonstrations signs shall be permitted during the course of and at the site of a political event or demonstration.

(C) Prohibiting Signs: Signs prohibiting trespassing and advertising, as well as neighborhood watch and alarm signs, shall be permitted on private property.

(xi) Public Notice: Any public notice or warning required by a federal, state, or local law or regulation shall be permitted.

(xii) Window Signs: Window signs with a maximum per window coverage of sixty percent (60%).

(xiii) Real Estate Signage: Real estate signs for sale or lease of property shall be permitted on private property and out of any required visibility triangle, with the following limitations:

(A) For residential property, one on site sign with a maximum sign area of six (6) square feet. Additionally, a maximum of three (3) attached rider signs are permitted on each real estate sign identifying the agent, special feature and/or sales status. On weekends and holidays, open house signs as needed to direct traffic from major collector and arterial streets to the subject property. One sign may be placed for each change in direction to a maximum of five (5) signs with a maximum sign area of six (6) square feet.

(B) For commercial property, one on site sign per street frontage with a maximum sign area of thirty two (32) square feet for parcels with less than one acre and forty eight (48) square feet for parcels larger than one acre with an eight foot (8') height limit.

17.30.300(4) Prohibited Signs:

The signage listed in this section are inconsistent with the purposes and standards of these regulations as described below and as such are prohibited in all zoning districts.

- (a) Abandoned signs;
- (b) Roof signs erected and constructed on and/or over the roofline of a building and supported by the roof structure;
- (c) Signs that are unauthorized, temporary or permanent, and are affixed to trees and utility poles;
- (d) Signs emitting audible sounds, odors, or visible matter. Only menu/order board signs may emit sounds, but only as part of their primary function;

- (e) Signs erected in such a manner that a portion of its surface or supports will interfere with the use of fire escapes, standpipes, or emergency exits from a structure or site;
- (f) Signs erected without the consent/permission of the owner (or his/her agent) of the property on which the sign is located;
- (g) Signs on public property or within the public right of way, except government/civic signs erected by a governmental agency or a public utility or signs granted an encroachment permit by the public works department;
- (h) Signs which imitate or resemble official traffic warning devices or signs, that by color, location, content, or lighting may confuse or disorient vehicular or pedestrian traffic;

17.30.300(5) Standards for Special Category Signs:

This section describes the standards applied to certain types of signage as defined in Section [17.30.300\(3\)](#) and are consistent with the standards established for signage as listed in Section [17.30.300\(7\)](#) and Table [17.30.300-7-1](#).

- (a) **Awning and Canopy Signs:** Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied, as follows:
 - (i) **Location:** Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian-way.
 - (ii) **Maximum Area and Height:** Sign area shall comply with the requirements established by Section [17.30.300\(7\)](#) and Table [17.30.300-7-1](#) and Section [17.30.300\(6\)](#) of this chapter. No structural elements of an awning or canopy shall be located less than eight feet (8') above the finished grade.
 - (iii) **Lighting:** Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the entire awning is allowed.
 - (iv) **Required Maintenance:** Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.
- (b) **Blade/Bracket Signs:**
 - (i) **Location:** Blade or bracket signs shall be placed only on ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

(ii) Maximum Area, Height, and Projection: The maximum sign area shall be ten (10) square feet. The lowest point of a blade or bracket sign shall be a minimum eight feet (8') above grade. The sign may project a maximum of five feet (5') from the building.

(iii) Sign Structure: Sign supports and brackets shall be compatible with the design and scale of the sign.

(c) Governmental/Civic Sign As A Gateway Sign: A governmental/civic sign as a gateway sign(s) other than those described in section 17.30.300(7) and Table 17.30.300-7-2 of this chapter for subdivisions and those exempt as in section 17.30.300 of this chapter may be established subject to the following standards:

(i) Location: The sign may be located along or within a public right of way at a minimum distance from the public right of way so as to not interfere with the movement of traffic.

(ii) Maximum Area and Height: The maximum sign area shall be thirty two (32) square feet. The maximum height shall be fifteen feet (15').

(iii) Design: The sign should be designed as a monument sign, consistent with the standards for monument signs described in subsection (e) of this section.

(d) Menu/Order Board Sign:

(i) Location: Menu/order board signs shall not face onto the public right of way.

(ii) Illumination: Menu/order board signs shall only be illuminated by internal light source with opaque (nontransparent) background.

(iii) Maximum Size, Height, And Number: The size, height, and number of menu/order board signs shall be limited as described Section 17.30.300(3)(b)(viii) of this chapter.

(e) Monument Signs:

(i) Location: The sign may be located only along a site frontage adjoining a public street and not within the visibility triangle. It shall be set back a minimum of ten feet (10') from the right of way. See also Section 17.30.300(6) of this chapter.

(ii) Maximum Area and Height: The sign shall comply with the height and area requirements established in Section 17.30.300(7) and Table 17.0.300-7-3 of this chapter.

(iii) Design: The mass/scale of a monument sign shall be consistent with the overall design of the building. The design and placement of the sign shall not interfere with the visibility triangle.

(iv) Landscape Requirements: Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, twenty (20) square feet of sign area requires forty (40) square feet of landscaped area. The City may reduce or waive this requirement if the sign is placed within an existing landscape corridor or median.

(f) Reader Board Signs: Reader board signs may only be allowed:

(i) In the Community Commercial (CC) zone upon approval of zoning clearance. Reader board signs may be allowed in the Town Center (TC) and Neighborhood Center (NC) zones with a Conditional Use Permit. The total area for these signs shall be included in maximum allowed sign area as listed in [Section 17.30.300\(7\)](#) and [Table 17.30.300-7-1](#) of this chapter.

(ii) To advertise products, services, and prices in conjunction with an on-site retail business and limited to a maximum of forty (40) square feet.

(g) Time and/or Temperature Signs: A time and/or temperature sign may be permitted on a site in addition to the other signs allowed by this section provided it meets the following standards:

(i) Maximum Area and Height: The sign shall have a maximum area of ten (10) square feet and shall comply with the height requirements established by [Section 17.30.300\(7\)](#) and [Table 17.30.300-7-2](#) of this chapter.

(ii) Design: The sign shall be designed in a manner that is compatible with other signs and with the structure on which it is placed.

(h) Building Signs: Where allowed in [Section 17.30.300\(7\)](#) and [Table 17.30.300-7-1](#) of this chapter, a building sign shall comply with the following additional requirements:

(i) Location: The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.

(ii) Maximum Area and Height: The sign shall not project above the edge of a structure and shall comply with the height requirements established by [section 17.30.300\(7\)](#), [Table 17.30.300-7-1](#) of this chapter. It shall not take up more than seventy five percent (75%) of the building frontage on which it is placed.

(iii) Projection From Wall: The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve inches (12"). See also [section 17.30.300\(6\)](#) of this chapter for three dimensional elements on all signs.

(i) Banner or Feather Signs: Banner and/or feather signs may be allowed in the Town Center, Neighborhood Center, Community Commercial and Industrial Commercial zones upon approval of zoning clearance, provided it meets the following standards:

(i) Location: The banner and/or feather sign shall not be placed to obstruct pedestrian traffic or doorways.

(ii) Maximum Area and Height: The banner and/or feather sign shall not exceed sixteen (16) square feet in area and fifteen (15) feet in height. The total area for these signs shall be included in maximum allowed sign area as listed in [Section 17.30.300\(7\)](#) and [Table 17.30.300-7-2](#) of this chapter

(iii) Number: No more than two (2) banner and/or feather signs shall be allowed per business.

(j) Freeway Oriented Billboards: Notwithstanding the prohibition against off site commercial signs, freeway oriented billboards may be permitted subject to first obtaining a Conditional Use Permit from the Planning Commission. For the purposes of this section, a "freeway oriented billboard" is hereby defined as an outdoor freestanding sign board which is located within one hundred feet (100') of State Highway 101 and which advertises a business, service or product which is not produced or sold at the site of the sign. A Conditional Use Permit for a freeway oriented billboard may be issued only if the proposed billboard complies with all of the following conditions:

(i) Location: A freeway oriented billboard shall be located only on property zoned Industrial Commercial and located at the Humboldt Rio Dell Business Park. No freeway oriented billboard shall be located closer than one-half (1/2) mile to another freeway oriented billboard. No freeway oriented billboard shall be located on or within any public right of way.

(ii) Maximum Number of Freeway Oriented Billboards: No more than a total of three (3) freeway oriented billboards may be constructed or approved by the city at any time, provided that each sign must meet all the conditions of this section. Once there are three (3) freeway oriented billboard use permits issued in the City, no other use permit application for a freeway oriented billboard can be processed by the City.

(iii) Height: No freeway oriented billboard shall exceed a height of thirty-five feet (35') as measured from the existing grade of the property on which the freeway oriented billboard will be located.

(iv) Size Of Signage: No freeway oriented billboard shall exceed four hundred eighty (480) square feet of advertising surface area. No freeway oriented billboard may contain more than two (2) advertising surface areas. No advertising surface area may contain more than two (2) advertisements.

(v) Lighting: A freeway oriented billboard may be illuminated in accordance with this title; however, no blinking, flashing, rotating, animated lighting or movement of any kind shall be permitted.

(vi) Approval By State Of California: Freeway oriented billboards receiving a Conditional Use Permit from the City shall not be constructed without proof of a permit issued by the state of California department of transportation, pursuant to the California outdoor advertising act. The City's restrictions regarding freeway oriented billboards shall apply if the City's limitations are more restrictive than the state requirements.

(vii) Structural Design: No freeway oriented billboard shall be approved without Planning Commission review and approval of the structural design. In particular, the Planning Commission shall ensure that the location, color, materials and details of the structural design of the freeway oriented billboard are attractive and compatible with surrounding land uses and the City's rural, hometown image.

(viii) Maintenance: Freeway oriented billboards and their supporting members must be maintained in good condition at all times. Upon order by the City, dilapidated freeway oriented billboards must be repaired or removed within thirty (30) days.

17.30.300(6) General Development, Maintenance, And Removal:

This section describes the standards applied to the development, maintenance, and removal of signs within the city.

(a) Measurement of Sign Area:

(i) Computation: Sign area shall be computed by means of a single continuous perimeter composed of any rectilinear geometric figure that encloses the extreme limits of writing, representation, emblem, or any fixture of similar character, together with any frame or material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; however, if the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated as seventy five percent (75%) of the area of any rectilinear geometric figure that encloses the extreme limits of the characters or symbols.

(ii) Supporting Framework: Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

(iii) More Than One Sign Face: Signs composed of more than one sign face shall be computed as including only the maximum single display surface that is visible from any ground position at one time.

(iv) Three-Dimensional Objects: Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane.

(v) Time and Temperature Devices: For signs that incorporate time and temperature devices, the area of these devices shall not be included in the total area of the sign.

(b) Measurement Of Sign Height: Sign height shall be measured from the uppermost part of the sign used in determining the area of the sign to the lowest elevation at the base of the sign.

(c) Maintenance Of Signs: All signs shall comply with the following criteria:

(i) All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign;

(ii) All permanent signs shall be constructed of quality, low maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements;

(iii) All signs shall be constructed in compliance with any applicable building, electrical, or other code in effect at the time of construction or maintenance, with particular respect to wind and seismic loads and overturning moment;

(iv) All freestanding signs that incorporate lighting shall have underground utility service;

(v) Signs shall be cleaned, updated, and/or repaired as necessary to maintain an attractive appearance and to ensure safe operation of the sign. Unacceptable sign conditions include broken or missing sign faces, broken or missing letters, chipped or peeling paint, water damage, missing or inoperative lights, exposed mechanical or electrical components, and missing or broken fasteners. Failure to respond to a written request from the city to perform maintenance work shall result in revocation of the sign's zoning clearance;

(vi) All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed;

(vii) All illuminated signs shall be of such intensity or arranged in such a manner so as not to create glare for abutting properties or vehicular traffic.

(d) Illumination Standards: The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights of way and properties. The following standards shall apply to all illuminated signs:

(i) External light sources shall be directed and shielded to limit direct illumination of an object other than the sign;

(ii) The light from an illuminated sign shall not be of an intensity or brightness that will create a negative impact on residential properties in direct line of sight to the sign;

(iii) Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color;

(iv) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices;

(v) Reflective type bulbs and incandescent lamps that exceed fifteen (15) watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right of way or adjacent property; and

(vi) Light sources shall utilize energy efficient fixtures to the greatest extent possible.

(e) Sign Removal or Replacement: When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure.

(f) Setback of Freestanding Signs (Permanent and Temporary): The minimum setback distance for signs shall be measured from back of the public right of way. No sign shall encroach into a public right of way. All freestanding signs shall be set back a minimum of ten feet (10') from the public right of way with the following exception:

(i) Where the public right of way has not been improved to its ultimate width, signs shall be set back from the ultimate right of way as defined by the public works department. Until such time as the right of way is improved to its ultimate width, the applicant may be granted an encroachment permit to allow the sign to be placed within the ultimate right of way, provided that when the right of way is improved the owner of the sign shall be required to remove or otherwise relocate the sign (at their own cost) and shall be subject to the current standards as provided in this title.

(g) Location Of Building Signs: Building signs may be located along any frontage of a building that faces directly onto a public right of way or an internal circulation path of the site. In no instance shall signs face directly onto residential property.

17.30.300(7) Permitted Signs By Zoning Districts:

Signs permitted within the City are regulated by the zoning district, and the standards for their development are described in Table [17.30.300-7-1](#) of this section. Zoning clearance (administrative plan check) is required to determine compliance with applicable provisions of this section. Only those signs that may be permitted are listed. The goal of these standards is to regulate permanent signs that have a commercial message so that they comply with the purpose of this chapter, as established in section [17.30.300\(1\)](#) of this chapter. Noncommercial signs and signs that are exempt from these standards are described in section [17.30.300\(3\)](#) of this chapter. Temporary signs are listed in section [17.30.300\(8\)](#) of this chapter. The following general rules/standards apply to permanent signs regulated in this section:

(a) Building signs are those signs that are permanently attached to a building (i.e., wall signs, blade/bracket signs, etc.).

(b) Freestanding signs are those that have their own unique foundation or are otherwise not attached to a building (i.e., monument sign).

(c) The total allowed sign area may be distributed among the maximum number of signs permitted for each sign type.

(d) Illumination standards refer to whether or not the sign may be illuminated and how. Signs that may be illuminated may be done so by "indirect or background" (indirect light source, low wattage spotlight without glare to the adjoining property, or internal light source with opaque, nontransparent background) or by any method that produces "no glare onto (neighboring) residential property".

(e) Allowable sign area is either a set square footage per business or is based on a ratio of sign area to primary building frontage. It is calculated as described in section [17.30.300\(6\)](#) of this chapter. Where a ratio is described, it applies up to the listed maximum sign area.

(f) Public frontage is that area of the building that faces onto a public right of way, an internal circulation aisle, or a parking lot. In no case shall signs face directly onto residential property. (See section [17.30.300\(6\)](#) of this chapter.)

TABLE 17.30.300-7-1					
SIGNS PERMITTED BY ZONING DISTRICTS					
Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback From ROW (Ft.)	Illumination Standards
Residential Zones:					
Building signs ¹	1 per Home Occupation or Address of Convenience	2	4	-	No illumination
Single-family subdivisions:					
Freestanding signs: entry monument	1 per project entrance	24 each	6	10	Indirect or background
Multi-family dwellings and complexes:					
Building signs ³	1 per complex	6	6	-	No illumination
Freestanding signs ³	1 per vehicle entrance	16 each	6	10	Indirect or background

TABLE 17.30.300-7-1

SIGNS PERMITTED BY ZONING DISTRICTS

Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback From ROW (Ft.)	Illumination Standards
Permitted nonresidential uses in a residential zoning category:					
Building signs ³	1 per business	50	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	100	10	10	No glare onto residential property
Town Center and Neighborhood Center Zones:					
Building signs ¹ :	2 per business	100	Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10	10	Indirect or background
Freestanding signs: Integrated development	1	150	15	10	Indirect or background
Community Commercial and Industrial Commercial Zones:					
Building signs	2 per business	125	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	150	35	10	No glare onto residential property
Freestanding signs, integrated development ⁴	1 per project entrance	300 ³	35	10	No glare onto residential property
Public/quasi-public uses:					
Building signs	1 per use	12	Roofline	-	Indirect or background
Freestanding signs	1 per use	32	8	10	Indirect or background

Notes:

1. Excludes nameplates as described in section [17.30.300\(3\)](#) of this chapter.
2. Refer to Design Review Guidelines.
3. Square feet by side.
4. On site signs for commercial and industrial zones may exceed the height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon issuance of a Conditional Use Permit.

17.30.300(8) Temporary And Special Event Signs:

This section describes standards for temporary signs, special event signs, and signs for subdivisions.

(a) Temporary Signs: Temporary commercial signs such as banner signs and portable signs for grand openings, special product, sale, or event advertising are permitted within the City with the development standards described below. While the City does not issue temporary sign permits, provisions herein will be enforced pursuant to chapter [17.40](#) of this title.

(i) Time Duration: Each business shall be allowed a maximum of two (2) weeks' temporary promotional signs a quarter/season (4 times a calendar year), not to exceed a total of eight (8) weeks per calendar year. Temporary advertising periods may be combined, but may never be longer than four (4) consecutive weeks (30 consecutive days) at any one time.

(ii) Illumination: No temporary signs may be illuminated.

(iii) Development Standards: [Table 17.30.300-7-2](#) of this section describes the development standards with regards to maximum number, area, height, and setback from the public right of way. In no case may a temporary sign be placed within a required visibility triangle.

TABLE 17.30.300-7-2				
TEMPORARY SIGN STANDARDS				
Use Type	Maximum Temporary Number Permitted	Maximum Area (Square Feet)	Maximum Height (Feet)	Minimum Setback From ROW (Feet)
Auto dealerships	3 per business	10 each	10	10
Commercial uses, building signs	1 per business	10 each	Roofline	-
Commercial uses, freestanding signs (i.e. sandwich board signs)	1 per business	6	4	10
Multi-family dwellings and complexes	3 per complex	Less than 10 units: 10; more than 10 units: 30	Roofline if on building; otherwise 10	5
Office and industrial uses	3 per business	6 each	10	10
Permitted nonresidential uses in a residential zoning category	3 per business	6 each	10	10
Public/quasi-public uses	2 per use	5 total	5	10
Residential dwellings/uses, building sign	2 per home occupation or Address of Convenience	10 total	8	5

(b) Special Event Signs: Signs not otherwise permitted in this chapter (e.g., beacons, pennants, freestanding banners, inflatable signs), may be permitted for communitywide events or other similar events on a temporary basis with the approval of a zoning clearance.

(i) Location: Special event sign(s) shall be located on the site of the event and shall not be located above the roofline of any structure. All signs shall be located so as not to obstruct required parking, driveways, or pedestrian walkways, and shall not be located within any visibility triangle.

(ii) Time: No entity or integrated development may be issued more than two (2) special event sign permits per calendar year for a maximum of fourteen (14) consecutive calendar days each.

(c) Subdivision Signs: Temporary and limited term subdivision signs for both on site identification and off site directional signs shall be permitted in accordance with the following

standards. Single-family subdivision sign provisions shall apply to integrated developments only and not to any single residential lot.

(i) On Site Signs: On site directional signs shall be permitted in accordance with the provisions listed in [Table 17.30.300-7-3](#) of this section.

(ii) Off Site Signs: Offsite directional signs shall be collocated together with other similar subdivision signs on offsite kiosks. Such signs shall be subject to the development standards as described in [Table 17.30.300-7-3](#) of this section and as follows:

A. No off site sign shall have any additions, tag signs, streamers, devices, display boards, or appurtenances added to the sign as originally approved.

B. Copy for individual projects listed on the kiosks is limited to the project name and a directional arrow.

(iii) Standards Applicable To All Subdivision Signs:

A. Sign Removal: Signs are to be permanently removed when the last home in the subdivision is sold or the sign permit expires, whichever occurs first.

TABLE 17.30.300-7-3						
SINGLE-FAMILY SUBDIVISION SIGNS						
Sign Type	Maximum Temporary Number Permitted	Maximum Area	Maximum Height	Minimum Setback From ROW	Illumination Standards	Other Standards
Freestanding signs: on site	1 per project entrance, max. 6	32 sq. ft. each	10 ft.	10 ft.	No illumination	

17.30.300(9) Nonconforming Signs:

Signs that were established prior to the adoption, or subsequent amendments, of this chapter, but are inconsistent with the adopted content are considered legal nonconforming uses. As such, they may continue to exist provided that they are not altered, modified, or changed in any way that would require, under this code, zoning clearance by the City or would constitute an otherwise prohibited sign as identified under section [17.30.300\(4\)](#) of this chapter, outside of their being legal nonconforming uses (see Section [17.30.200](#) of this title). When such modification alteration-change occurs (as defined in chapter [17.30.200](#) of this title), the sign shall be brought into compliance with this chapter, requiring zoning clearance, and the clearance shall be reviewed under the specifications of section [17.30.300\(2\)](#) of this chapter.

Section 3. Severability

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

Section 4. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), subject to Section 15061 of the CEQA Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any significant impact to the environment would occur as a result of adoption of the Ordinance.

Section 6. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on February 6, 2018 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 20, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 362-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on February 20, 2018.

Karen Dunham, City Clerk, City of Rio Dell